Union Calendar No. 762
88th Congress, 2d Session - - - - - - House Report No. 1739

Boston Public Library
Superintendent of Documents
AUG 3 1 1964
DEPOSITORY

COMMITTEE ON UN-AMERICAN ACTIVITIES

ANNUAL REPORT FOR THE YEAR 1963

AUGUST 10, 1964
(Original Release Date)

AUGUST 11, 1964.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Prepared and released by the Committee on Un-American Activities
U.S. House of Representatives, Washington, D.C.

U.S. GOVERNMENT PRINTING OFFICE
36-584 WASHINGTON : 1964

COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

EDWIN E. WILLIS, Louisiana, *Chairman*

WILLIAM M. TUCK, Virginia
JOE R. POOL, Texas
RICHARD H. ICHORD, Missouri
GEORGE F. SENNER, JR., Arizona
AUGUST E. JOHANSEN, Michigan
DONALD C. BRUCE, Indiana
HENRY C. SCHADEBERG, Wisconsin
JOHN M. ASHBROOK, Ohio

FRANCIS J. MCNAMARA, *Director*
FRANK S. TAVENNER, JR., *General Counsel*
ALFRED M. NITTLE, *Counsel*

LETTER OF TRANSMITTAL

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, August 11, 1964.

Hon. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to House Resolution 5, 88th Congress, 1st session, and by direction of the committee, I herewith transmit the Annual Report of the Committee on Un-American Activities for the year 1963.

Sincerely yours,

EDWIN E. WILLIS, *Chairman.*

Enclosure.

Union Calendar No. 762

88TH CONGRESS, 2d Session } HOUSE OF REPRESENTATIVES { REPORT No. 1739

COMMITTEE ON UN-AMERICAN ACTIVITIES ANNUAL REPORT FOR THE YEAR 1963

August 11, 1964.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WILLIS, from the Committee on Un-American Activities, submitted the following

REPORT

[Pursuant to H. Res. 5, 88th Cong., 1st sess.]

CONTENTS

	Page
Letter of transmittal	III
Foreword	XI
Chapter I. Proliferation of Ultrarevolutionary Communist Organizations in the United States	1
Chapter II. Hearings Conducted for Legislative Purposes:	
U.S. Communist Party Assistance to Foreign Communist Governments (Testimony of Maud Russell)	25
"United Front" Technique of the Southern California District of the Communist Party	29
Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1–4	30
U.S. Communist Party Assistance to Foreign Communist Parties (Veterans of the Abraham Lincoln Brigade)	84
Defection of a Russian Seaman (Testimony of Vladislaw Stepanovich Tarasov)	90
Chapter III. Reports Compiled to Assist the Congress in its Legislative Deliberations:	
"United Front" Technique of the Southern California District of the Communist Party	93
World Communist Movement: Selective Chronology 1818–1957, Volume II, 1946–1950	96
Chapter IV. Consultation:	
A Communist In a "Workers' Paradise" (John Santo's Own Story)	101
Chapter V.	
Reference Service for Members of Congress	115
Chapter VI.	
Bibliography of Committee Publications for the Year 1963	117
Chapter VII.	
Contempt Proceedings	119
Chapter VIII.	
Legislative Recommendations	123
Chapter IX.	
Memorial Resolutions for Deceased Members, Hon. Francis E. Walter and Hon. Clyde Doyle	157
Index	1

Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

SEC. 121. STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine Members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

Rule XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 88TH CONGRESS

House Resolution 5, January 9, 1963

* * * * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * * * *

(r) Committee on Un-American Activities, to consist of nine Members.

* * * * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

FOREWORD

Many Americans tend to scoff at, dismiss lightly, and underrate the importance—and the danger—of routine, day-to-day Communist agitation and propaganda activities. Human nature being what it is, it is natural that stories of espionage and high-level intrigue—published after the fact and after the damage has been done—get the blazing headlines and extensive, detailed news treatment. There is excitement and drama in such developments—and that is what makes news.

The rank-and-file Communist peddling *The Worker* door to door, distributing handbills on a corner, speaking at a front meeting, holding a minor union office, teaching in a school—or agitating in a remote village in a distant land—is, by comparison, drab and uninteresting. News media pay little or no attention to him. Yet it is such Communists—rather than the espionage agents—who, to date, have played a major role in paving the way for Communist revolutions and the destruction of freedom in a number of nations. Moscow has accomplished more through them than some would-be world conquerors of the past could accomplish through the use of all their military power.

Because the United States is the major barrier to Communist world conquest, this country and its leaders are a prime target of these day-to-day Communist activities, many of which are primarily designed to engender hatred of America, its institutions, and its leaders.

The Communists' constant "Hate America" barrage results in more than "Yankee Go Home" signs in foreign lands. It pays off for the Communists in the bombing of United States Information Service libraries abroad, the storming of U.S. Embassies, open insults hurled at our diplomatic representatives and high State Department officials in their travels abroad, and in many other ways. At home, it results in certain of our own citizens defying our laws, stealing our secrets, and engaging in other traitorous activities.

Because of "Hate the U.S." propaganda and agitation campaigns, attempts have been made on the lives of two recent Presidents of the United States.

President Truman escaped an attempt to kill him made in 1950. The assassination effort was made by members of the terroristic Nationalist Party of Puerto Rico, which has for years been defended and aided by the U.S. Communist Party and which, like the U.S. party, engages in virulent "Hate the United States" propaganda.

President Kennedy, unfortunately, did not escape the attempt made on his life by a man, since murdered, whose life and conduct—by his own admissions and actions—was shaped largely by Communist propaganda.

These frightening examples of the extremes to which "Hate America" agitation-propaganda campaigns can drive adherents of radical movements should long since have alerted all Americans to the danger of communism and aroused in them concern and determination to

combat the party's routine activities. Most radical movements have a significant unstable element within them—and there is no telling what such elements will do after years of indoctrination in hatred of their Government and its leaders.

Yet today we see relatively little concern, and little being done, to combat and offset Communist agitation-propaganda activities which are boldly designed—as they have been over the years—to promote activities bordering on the treasonous.

Twenty-five years ago, U.S. Communists were doing everything they could to sabotage U.S. defense preparations. They defiantly proclaimed that they would refuse to serve in our military forces if drafted. They influenced others to take the same position. Today, we again see successful Communist operations in the same area. Scores of young men of draft age have openly proclaimed in paid newspaper advertisements that they would refuse to serve in Vietnam if drafted. They, too, have organized a group to persuade others to take the same position.

Not long ago, there appeared in the press an account of a university campus meeting of approximately 350 persons, most of them students, who had gathered to view a propaganda film produced by the Vietnamese Communists and to hear speeches urging that America pull out of South Vietnam and abandon it to communism.

There was loud applause, according to the press account, when the film showed a Viet Cong leader embracing Mao Tse-tung, chairman of the Chinese Communist Party. By contrast, only about 15 of those present applauded when, later in the program, one student stood up and said, "Let's have a round of applause for the Americans fighting and dying in Vietnam."

A considerable number of those in the audience had traveled to Cuba last summer in defiance of the laws of this country and, while viewing another Communist propaganda film there, had applauded the shooting down of an American aircraft in South Vietnam.

The witness who told this committee about the latter incident said of the group in Cuba: "This is not a typical group of American students." Undoubtedly, it was not—and, undoubtedly, the 350 viewing the anti-U.S. pro-Communist film on the university campus was not a typical American student group. Both of these groups, however, were typical of those who regularly consume Communist propaganda with its "Hate America" themes. They are also typical of the element from which the revolutionists, espionage agents, and assassins of the future are recruited.

Communists, of course, are not typical persons. Being not only deceptive, but truly the "masters of deception" (like their guerrilla colleagues of the Viet Cong, who peacefully plow their paddies by day only to slay and subvert at night), U.S. Communists may seem to be just like other Americans in the pursuit of their various professions and trades, in their outward appearance, and day-to-day activities.

We can judge them by their surface appearance. We can dismiss their words as "only propaganda." But we will not do either of these things if we are wise, informed citizens with our country's interests at heart.

Within the past year, we have witnessed a shocking example of the kind of horrible act that can be committed by a fanatical Marxist who had for years been an avid reader of Communist anti-American propa-

ganda and—not long before the slaying of the President—a leader of pro-Castro agitation on the streets of one of our major cities.

Certainly, we cannot afford to ignore, underrate, or lightly dismiss the day-to-day activities of the "ordinary," rank-and-file Communists and their potential effects. Their carefully contrived words are the father of thoughts that impel their adherents and sympathizers to actions that, in one way or another, are all designed to undermine and destroy our way of life.

All Americans, I believe, were shocked to learn that our President had been assassinated by a citizen of the United States. Undoubtedly, it did not have to happen. Perhaps, it would not have happened if, during past years, the American people, as a whole, had worked harder to disclose the lies and half-truths in domestic Communist propaganda so that our youth would not be misled by it.

EDWIN E. WILLIS, *Chairman.*

July 13, 1964.

ANNUAL REPORT FOR THE YEAR 1963

CHAPTER I

PROLIFERATION OF REVOLUTIONARY COMMUNIST ORGANIZATIONS IN THE UNITED STATES

This Nation's internal security problems are being complicated by a growing number of revolutionary Communist groups which claim that the orthodox Communist Party of the United States is too soft on "capitalism" and too accommodating in its relations with all other non-Communist groups.

Charges to this effect by dissidents, inside or outside the Communist Party, U.S.A., have been made periodically throughout the 44-year history of the organization. They have resounded whenever the strategists in the Kremlin have decreed it in the interests of Communists to collaborate and curry favor with non-Communists in the pursuit of certain immediate objectives. And such charges have been at a minimum during intermittent periods when Soviet Communist leaders have considered conditions ripe for Communist revolutions and instructed local Communist parties to prepare for violent conquest of power in their respective countries, instead of concentrating on winning allies during an unavoidable period of coexistence with non-Communist and "capitalist enemies."

A distinguishing feature of the latest outcropping of Communist groups professing more militant and truly revolutionary policies than those of the CPUSA is their support of policies of the Chinese Communist leadership and their opposition to policies of the Soviet Communist leadership.

Moscow Versus Peking

Most Americans are aware of the Chinese Communists' feud with the Soviet Communist leadership, which became increasingly bitter as it came increasingly into public view after 1956. It has been attributed to a variety of motives including ideological divergencies; differences in political, economic, and social conditions; power politics; nationalism; and personal animosities. It is not the committee's intent to deal with the Sino-Soviet conflict beyond mentioning a few details essential to any consideration of revolutionary organizations in the United States which are in avowed agreement with Chinese Communist policies. It must be noted, however, that—for the first time since the Bolshevik revolution in Russia in 1917—the Soviet Communists' leadership and policymaking role with respect to the vast and, on the whole, disciplined international army of Communists throughout the world has been seriously challenged by the Red Chinese.

The most publicized aspect of the Sino-Soviet conflict has been the war of words, in which each side accuses the other of advocating strategies and tactics for the international Communist movement

which do not serve their common and undebated ultimate goal of a world Communist society. The Soviet and Chinese Communists, in their word warfare, have resorted not only to name-calling but to outright distortion of each other's views. (Chinese Communists, for example, have unjustly accused the Soviet leaders of becoming fawning handmaidens of the capitalists and of opposing the extension of communism to other parts of the world, while Soviet Communists—with equal lack of justification—have declared that the Chinese Communists do not believe it is possible to prevent a new world war and do not believe communism can be extended without world war.) The Chinese Communist position, nevertheless, clearly favors more militant action by Communists throughout the world. Among other demands, the Chinese insist that there must be more Communist preparation for armed revolutionary struggle to overthrow non-Communist governments.

Soviet Communists have wrathfully condemned the Chinese Communists for sowing disaffection among Communist parties, heretofore faithful supporters of the men in the Kremlin. While most of the Communist parties are still counted on Moscow's side in the dispute, a number of parties openly champion the views of the Chinese Communists, while a number of other parties are divided over the issues. The leadership of the Communist Party of the United States has remained subservient to Moscow direction. Early in January 1963, it issued a public statement condemning the Chinese Communists and defending the Soviet policies under attack by the Chinese.

In the course of this statement the Communist Party, U.S.A., made the charge that the Chinese Communist Party was not content to enunciate its differences with the Soviet Communists, but actively sought to recruit Americans to the Chinese Communist view. As the Communist Party, U.S.A., put it:

> The CPUSA cannot be indifferent to the fact that the Chinese Communist Party seeks converts for its dangerous policies in our country * * *.[1]

The Communist Party of the Soviet Union, in a subsequent "Open Letter" defending itself from the attacks of the Chinese Communists, claimed the Chinese Communist Party was actually "organizing and supporting" groups in non-Communist countries and named a group in the United States as an example of Chinese-supported "renegades":

> The C.P.C. [Communist Party of China] leadership organizes and supports various anti-party groups of renegades who come out against the Communist parties in the United States, Brazil, Italy, Belgium, Australia and India. * * * In the United States, support is rendered to subversive activities of the left-wing opportunist group "Hammer and Steel" which [sets] itself the main task of fighting against the Communist party of the United States.[2]

"Practical" and "subversive" activities of the Chinese Communists, according to the Soviet statement, have also included sharp attacks

[1] Statement by the Communist Party of the United States appearing in *The Worker*, January 13, 1963, pp. 3, 10.

[2] Open Letter of the Central Committee of the Communist Party of the Soviet Union to party organizations and Communists of the Soviet Union, July 14, 1963, printed in *The Worker*, July 28, 1963.

on Communist parties and their leaders who have refused to take China's side in the controversy. The Soviets complained that the Chinese Communists "have published and circulated in many languages articles discrediting the activity of the Communist party of the United States, and the French, Italian and Indian Communist parties."

Such contention between the leaders of the two most powerful Communist nations has, without question, contributed to a present proliferation of organizations and publications in the United States committed to achieving a Soviet America by more "militant" strategies than those employed by the Moscow-backed Communist Party, U.S.A.

New Peking-Oriented Communist Organizations

The Hammer & Steel group, which was singled out for attack by the Communist Party of the Soviet Union, is one of the newest and most enthusiastic supporters of the Chinese Communist leadership to appear on the American scene. It began publicly advertising its operations in the spring of 1962. A few months earlier, however, another group of dissident Communists, gathered together in the so-called Progressive Labor Movement, had made their public bow with the launching of a monthly magazine. Yet another group of American revolutionaries-a-la-Peking has been in operation since August 1958 under the organizational title "Provisional Organizing Committee for a Marxist-Leninist Communist Party (POC)." Leaders of each of these organizations were expelled or resigned from the orthodox Communist Party, U.S.A., as a result of their opposition to prevailing party strategy.

Another type of revolutionary Communist grouping which has appeared in recent years to sing the praises of the Chinese Communists has been formed by so-called Trotskyists. The principal Trotskyist organization in the United States, the Socialist Workers Party, for many decades has competed with orthodox Communists over the right to lead an American Communist revolution. Avowedly loyal to the principles of Marx and Lenin as interpreted by Leon Trotsky, Joseph Stalin's Bolshevik competitor, Trotskyists are viewed as heretics by both the Chinese and Soviet Communists.

The Socialist Workers Party has welcomed the Sino-Soviet conflict as heralding a "decomposition" of the monolithic international Communist movement of Stalin's time. While it has found faults on both sides, the Socialist Workers' Party nevertheless has indicated its sympathies are with the Chinese Communists on most points under dispute with Moscow because the Chinese are "more militant" and, therefore, closer to its own "correct" line than the Soviet Communists.

The Socialist Workers Party has always accused the Communist Party, U.S.A., of lacking sufficient revolutionary fervor. Ironically, the SWP was itself the object of the same charge when a group of its own members walked out in February 1959 and began issuing an independent, semimonthly publication, *Workers World*, which would "hold aloft the shining banner of revolutionary Marxism, and call upon all the advanced workers to gather around it." Despite its admittedly "irreconcilable" differences with the Chinese Communist leadership because of its Trotskyist heresy, the *Workers*

36-584—64——2

World group has become one of the fiercest defenders of Chinese Communists in the United States.

All of these new Communist groups have insisted that their aim is creation in the United States of *the* true Marxist-Leninist (Communist) Party, which will one day successfully lead the "masses" of Americans in overthrowing capitalism and setting up a Communist dictatorship of the "proletariat." They have undoubtedly been fortified in their aim by pronouncements from the second most powerful Communist nation that Communist leaders in non-Communist countries who fail to take heed of the necessity for a revolutionary outlook will inevitably be replaced by more capable Communist leaders from both inside and *outside* their parties. The Chinese Communist Party, for example, made this threat in a highly publicized message to the Soviet Communists on June 14, 1963:

> the proletarian [Communist] party should ideologically, politically and organizationally prepare its own ranks and the masses for revolution and promote revolutionary struggles, so that it will not miss the opportunity to overthrow the reactionary regime and establish a new state power when the conditions for revolution are ripe. * * *
>
> * * * * *
>
> Countless facts have proved that, whatever [sic] the dark rule of imperialism and reaction exists, the people who form over 90 percent of the population will sooner or later rise in revolution.
>
> * * * * *
>
> If the leading group in any Party adopt a non-revolutionary line and convert it into a reformist party, then *Marxist-Leninists inside and outside the Party* will replace them and lead the people in making revolution. * * * [Emphasis supplied.] [3]

Competition on the Extreme Left

In keeping with the totalitarian nature of the Communist system, Communist theory (Marxism-Leninism) does not admit the possibility of more than one correct basic policy for Communists wherever they

---

[3] Letter from Central Committee of the Communist Party of China to Central Committee of the Communist Party of the Soviet Union, June 14, 1963, printed in *The Worker,* July 28, 1963.

That the Chinese Communists considered the CPUSA to be a party which had strayed from the correct revolutionary path had been made clear earlier. Replying to a CPUSA statement taking Moscow's side against Peking, the Red Chinese had retorted on March 8, 1963, that "certain leaders" of the CPUSA were guilty of erroneous, nonrevolutionary attitudes. The Chinese also warned the U.S. Communist leaders on this occasion that "there are not a small number of genuine communists, both inside and outside the Communist Party of the United States," firmly opposed to their leaders' betrayal of Marxism-Leninism.

In their polemics against the Soviet Communists, the Chinese Communists have had much to say on the subject of revolution. "Let us, in the light of bloody facts both of the historical past and of the modern capitalist world examine all this nonsense about the 'peaceful growth of capitalism into socialism' * * *," they declared in the pamphlet *Long Live Leninism* (Peking: Foreign Languages Press, 1960). A review of the past shows that "Revolution means the use of revolutionary violence by the oppressed class, it means revolutionary war." If Communists should be confronted with an opportunity to obtain power in a non-Communist country "by peaceful means," they are, of course, obligated to take advantage of it, this Chinese Communist statement went on. But it agreed with Lenin that this sort of opportunity is always exraordinarily rare and "it is therefore necessary to be prepared * * * for the other possibility, i.e. nonpeaceful development of the revolution."

By March 31, 1964, the Chinese Communists were flatly declaring that "violent revolution is a universal law of proletarian [Communist] revolution" and that "Marxism has always openly proclaimed the inevitability of violent revolution."

are located, nor more than one set of Communist leaders within a country to implement the policy. The possibilities of unity have been explored by leaders of some of the new Communist organizations with apparently very little success. The "splinter" groups (as they are aptly referred to by Communists) have, therefore, tended to compete with each other as well as with the Communist Party, U.S.A.

The dissidents have concentrated their fire on the orthodox, Moscow-oriented Communists, and a steady flow of spoken and written propaganda (the latter often printed in China) emanates from such sources to "prove" that the leaders of the Communist Party, U.S.A., and their Soviet mentors have emasculated the "revolutionary soul" of true Marxism-Leninism and forfeited both the right and the ability to lead Americans to communism.

If the activities of these organizations were restricted to debates among Communists, they would arouse little more than academic interest. Most of the dissident Communist groups, however, have publicly announced their commitment to radical *action* programs involving America's non-Communist population. Many have taken pride in advertising the occasions on which their members have, for example, led picket lines and mass meetings, defied the laws of the United States, decided to infiltrate non-Communist organizations, or managed local committees and campaigns allegedly operating in behalf of some humanitarian cause.

Less secretive about their Communist orientation than orthodox Communist Party members, the newly organized revolutionaries nevertheless have tended to be cautious in their public pronouncements on the degree to which they are willing to rely on force and violence in their efforts to bring communism to power in the United States. Their vaunted "revolutionary" outlook and "militancy" must usually be implied from the vehemence with which they denounce the orthodox Communist Party for believing communism may be achieved by peaceful, parliamentary means [4] and from their enthusiasm for the tactics of the Chinese and Cuban revolutionaries. In their practical activity, however, they appear to have little hesitancy in urging non-Communists in the United States to seek their goals with the aid of forceful tactics. Most of the groups mentioned in this chapter have publicly scoffed at the concept of nonviolence in civil rights struggles in the Nation and urged upon American Negroes a policy of so-called armed defense. Members of some of these groups also have boasted of their run-ins with police authorities as well as with this committee for inciting riotous and near-riotous actions of one kind or another.

The committee is encountering these extremist groups with increasing frequency in the course of its routine investigations into Communist propaganda and agitation, and it believes that it would be derelict in carrying out its mandate from Congress if it failed to alert the Members to the existence of new organizations of the conspiratorial left. To this end, the committee is prefacing its annual summation of investigations, hearings, and reports with capsule descriptions of a number of the more active revolutionary groups which have appeared on the American scene in recent years.

---

[4] The extremists perpetually distort the actual position of the Communist Party, U.S.A., which has *never* operated on the premise that communism can be achieved in the United States solely by parliamentary means and has foreseen a "peaceful" transition only in the event the capitalists decide not to resist a Communist takeover. Certain language in the CPUSA constitution proclaiming advocacy of a "peaceful democratic road to socialism" has been mainly aimed at countering legal restrictions on party activity.

Provisional Organizing Committee for a Marxist-Leninist Communist Party (POC)

After operating as an opposition faction within the Communist Party, U.S.A., for more than a year, a group of party members formed a separate Communist organization at a conference in New York City August 16 and 17, 1958, attended by 83 national "delegates" allegedly representing 300 members.

As its name implied, the Provisional Organizing Committee for a Marxist-Leninist Communist Party claimed to represent "genuine, solid Communists" whose "central task" was to create "a real Communist Party." POC insisted that it—not the CPUSA—could be relied on to carry out the "revolutionary, internationalist Marxist-Leninist traditions of those American workers who established the CPUSA 39 years ago." The splinter group appeared after the CPUSA had announced that it intended to wipe out organized internal opposition to party policies. POC organizers, by their own admission, decided to take action before every member of their faction had been expelled one by one from the CPUSA.

POC operations are centered in New York City, but the organization also claims chapters operating on the West Coast and in Cleveland, Chicago, and Philadelphia. The top post of general secretary has been continuously held by Armando Roman who, while a member of the orthodox CPUSA, headed its Puerto Rican Section and served on its New York State Committee. Roman was one of six members of the POC interrogated by this committee in New York in November 1959 in connection with an investigation into Communist activities among the Puerto Ricans in New York City and Puerto Rico. In June 1962, the committee received testimony from an FBI undercover informant in the Cleveland Communist Party who had attended the founding POC convention and various local POC meetings as a "spy" for the orthodox Communists. The informant, Julia Brown, was impressed by the frankness with which POC leaders preached forceful and violent overthrow of the U.S. Government. When the committee interrogated a Cleveland POC member at the hearing, it met the same response as that given by POC'ers from New York City—invocation of the fifth amendment against possible self-incrimination.

Since September 1958, the POC has published a monthly newspaper, Marxist-Leninist *Vanguard*, which intemperately berates the leadership of the CPUSA for being "a bunch of revisionist-bureaucrats," cowards, opportunists, and "State Department stooges." The POC has unfairly charged the orthodox Communist leadership with taking to heart propaganda about a "peaceful, parliamentary, constitutional transition to socialism" in the United States which was developed under the pressure of prosecutions for violating the Smith Act provisions against forceful overthrow of the Government. Orthodox Communists, according to the POC, also have been duped or intimidated into overestimating the strength of the capitalist enemy. And because of timidity and opportunism, the "united front" work of orthodox Communists within non-Communist groups does not serve the intended purpose of expanding Communist influence, as much as it helps maintain a non-Communist system in the United States.

POC has prided itself on being a stickler for Communist "principles" which—allegedly unlike the CPUSA—it will not barter for "momentary and illusory 'advantages'" in the trade union movement, political parties, and the courts. The splinter organization has scorned the orthodox Communist tactic of working within capitalist political parties. ("We reject this theory" of a "peaceful, parliamentary and constitutional transition to socialism in the United States," and "no parliament has ever transformed a dictatorship of the bourgeoisie into a dictatorship of the proletariat." [5])

POC publications have also called for more militant actions by rank-and-file trade unionists in America in defiance of their union officials, who are generally considered guilty of "collusion" with the employers.

Deriding leaders of the CPUSA for enjoying high-priced homes, cars, and other luxuries and making a bid for the college crowd, the POC has described itself as "a revolutionary organization of American workers," whose practical activities are concentrated among unskilled workers, among "the most exploited and the most oppressed." POC members are described as mainly "proletarians, Negro, white and Puerto Ricans" living in industrial centers of the Nation.

Acknowledging that "the ground will not be cleared" for reconstitution of a true Communist Party in the United States "by theory alone," the POC has announced that it is "extending our work to the field of day-to-day programmatic struggle on issues." The organization stated that it would lead and participate in campaigns on such subjects as unemployment benefits, low-cost housing, civil rights, and police brutality. It frankly declared that its "main purpose" in helping the "masses" fight for such "immediate needs" is to instill in them a "class consciousness," "to help in choosing the path of struggle as against the line of least resistance," and to prepare them for a final goal of communism.[6]

POC'ers decided to conduct their agitational activities through "committees of struggle" in local neighborhoods or unions. They boasted of establishing "closest united front" or cooperative relationships with Puerto Rican and Negro nationalist groups on the basis of their "common struggle against U.S. imperialism." (POC actively agitates in favor of independence for Puerto Rico and, like most Communist groups to the left of the CPUSA, it has retained the former CPUSA line initiated by Stalin, which holds that Negroes in a southern "Black Belt" in the United States constitute an "oppressed nation." The splinter organization preaches that Negroes in the South will solve their problems not by seeking integration, but by forcing the "imperialist" American Government to grant them the right, as a "nation," to determine their own destiny. It also has extolled "militant armed struggle" by Negroes in the South and attacked the policy of nonviolence as a "sell-out," "capitulationist philosophy" which stifles and curtails the militant mood of the Negro masses (*Vanguard*, December 1963–January 1964).)

---

[5] *Vanguard*, September 1958, p. 2; November 1958, p. 4.

[6] Ibid., August 1959, p. 7; December 1961–January 1962, p. 3.

POC has also referred to *Vanguard* articles on "the struggles of the American people" and POC's participation in them as part of its "campaign to educate the masses in a revolutionary spirit." (*Vanguard*, September 1963, p. 3.)

On its fifth anniversary, POC described its past activities as follows:

> Struggles against police brutality in New York, Philadelphia, and Chicago, for equal rights for the Negro and Puerto Rican national minorities, struggles for housing and the unemployed on the West Coast, for the unemployed in Cleveland, for Welfare in Chicago, for trade union democracy and militancy—these testify to the total immersion of POC in the life of the working class.
>
> * * * * *
>
> In leaflets, open-air meetings, protest meetings, *Vanguard* distributions, and united front activities, POC has assiduously and relentlessly tried to expose the criminal U.S. ruling class.[7]

More specifically, POC'ers have distributed leaflets on New York streets in behalf of improved sanitation in Harlem, organized picket lines, handed out leaflets, and collected signatures in protest against allegedly unjust murder convictions ("frame-ups") in New York and Chicago; sponsored repeated street meetings and literature distributions against instances of so-called police brutality in New York and Philadelphia; picketed United Nations headquarters in behalf of a pro-Communist Congolese Premier and Communist Cuba; and sent its delegates to the Nation's Capital to participate in street demonstrations in behalf of independence for Puerto Rico. In the course of constant agitation on the streets of our major cities, POC'ers have, from time to time, clashed with local police forces. The organization has invariably pointed to its members' conflicts with law-enforcement authorities as evidence that the splinter group contains the "real" Communists in America.

The *Vanguard* of October-November 1963 declared that "POC comrades are harassed and jailed" in Philadelphia, while members of other Communist groups are given freedom to spread their "pseudo-radical" propaganda. The publication focused attention on the recent police detention of a Philadelphia POC member who was already under indictment on charges of inciting to riot while participating in so-called mass struggles back in 1962. A trial based on the 1962 indictment is still pending. The *Vanguard* has also exploited the arrest of five POC youths on disorderly conduct charges while conducting a street demonstration and leaflet distribution in New York's Times Square following the unsuccessful Cuban invasion in April 1961. (The charges were subsequently dismissed when the case came to trial, and the POC publication announced that one of the reasons a conviction was not forthcoming was the militant behavior of the POC members. "Our POC youths never denied being Communists before the cops, the D.A. or the judge, unlike the cowards in the [l]eadership of the so-called Communist Party * * *" (*Vanguard*, April-May 1961).)

POC propaganda was, initially, respectful of both the Soviet and Chinese Communist leaders. *Vanguard* became a vehicle for Chinese Communist pronouncements on "correct" Communist theory and practices as soon as the splinter publication made its appearance in the fall of 1958, but the Chinese Communists at that time were publicly critical

[7] Ibid., September 1963, p. 3.

of only Yugoslav Communist deviations. As Sino-Soviet relations deteriorated,[8] POC began bitterly denouncing Nikita Khrushchev as a weak-kneed opportunist, who had betrayed revolutionary Marxist-Leninist principles. It decided, on second thought, that Stalin wasn't really as bad as Khrushchev depicted him. And it promoted the Chinese Communists as the rightful leaders of the international Communist movement. POC enthusiasm for the Chinese Communist position was expressed in such terms as:

> the revolutionary center of the world has shifted to the east, from Moscow to Peking
>
> or
>
> Today POC stands as part of a great revolutionary army, embracing the communists of China, Korea, Albania, Vietnam, Indonesia, Japan, New Zealand, Malaya, and Burma * * *.
>
> We are but a small platoon in this mighty army * * *.
>
> * * * * *
>
> Long Live the glorious tradition of Marx, Engels, Lenin, Stalin, and Mao Tse-tung![9]

In addition to publicizing the views of the Chinese Communists in the columns of the *Vanguard*, POC has also advertised that it has reprinted various Chinese Communist writings in separate pamphlets in the English and Spanish language and that the literature can be obtained from the POC without cost.

After a Communist regime was imposed upon Cuba, POC became a defender of the Cuban revolution as well. In addition to agitation on the streets, the splinter group publicized Fidel Castro's more militant statements. *Vanguard* for March-April 1963, for example, emphasized that the Cuban dictator had praised revolutionists in Cuba, Algeria, and South Vietnam for relying on the "correct tactics" of combat rather than some concept of "peaceful transition" to socialism. The POC publication also quoted Castro's opinion that it is the "duty" of leaders and revolutionary organizations to learn "how to lead the masses to revolution," how to "hurl the masses into combat." In the POC view, in fact, Communist Cuba is outranked in importance only by Communist China:

> How do we view the present lineup of forces? In our opinion, China, as the strongest state in the world, when considered in all its aspects, is the base of the revolutionary movement. Cuba is the main outpost, its spearhead.[10]

POC reiterates its confidence in a worldwide Communist victory "and not somewhere off in the distant future, either." It has issued such ominous warnings as the following:

> The end may come through a revolutionary explosion in the colonial world or it could be, yes, it well could be, precipitated by China getting the atom bomb, and as a result releas-

---

[8] The POC said that: "When it became obvious, after the 22nd Congress of the CPSU [Communist Party of the Soviet Union, in October 1961], that Khrushchev—not Tito—was the head of world revisionism, POC turned its fire directly on him." (*Vanguard*, September 1963, p. 3)

[9] *Vanguard*, October–November 1963, pp. 1, 2; September 1963, p. 4.

[10] Ibid., March–April 1963.

ing the world-wide revolutionary energies that Nikita Khrushchev, Tito, Gus Hall and company have helped to contain with their revisionism and opportunism.[11]

Regarding this country, the organization has adopted the line that the deepening "crisis of imperialism" is "today developing towards a revolutionary situation in the United States, and * * * this is the key that we must seize hold of." After Castro's rise to power, the splinter group proclaimed that "the success of the Cuban revolution proves that the working masses can win here too." [12]

POC has admitted holding consultations with the Hammer & Steel group of Massachusetts and achieving a "growing unity of view" with that organization. A "common program of action" announced in June of 1962 was concretely expressed in the joint issuance of a leaflet opposing U.S. intervention to halt Communist expansion in Southeast Asia. However, POC has registered contempt for what it described as appeals for "unity on the left" from leaders of the orthodox Communist Party and Trotskyist organizations. It has preferred to stage its own public affairs on such hallowed Communist occasions as May Day and the anniversary of the October revolution in Russia. Orthodox Communists, Trotskyists, and even the new Peking-oriented Progressive Labor Movement have been denounced by POC as "pseudo-radicals."

The POC reported that members of the Communist Party initially participated in a Jo Ann Santiago Defense Committee, which in 1960 protested deportation proceedings against a foreign-born member of the POC. The orthodox Communists proposed that the campaign omit any mention that Communists were under attack and they also urged admission of Trotskyists to the defense committee. When these propositions were rejected by POC'ers, the orthodox Communists allegedly disappeared from the scene. Orthodox Communists have also been accused by POC of virtually sabotaging effective aid in the Santiago case by the Communist-front American Committee for Protection of Foreign Born.[13]

Hammer & Steel Group

The Provisional Organizing Committee for a Marxist-Leninist Communist Party (POC), in announcing conferences with the Hammer & Steel group on possible unity of action, described the latter as "constituting the main body of the former leadership of the CPUSA of New England."

POC had printed articles against the CPUSA circulated by the Hammer & Steel group as early as November 1961, but the new organization did not begin advertising its activities in the leftwing press until April 1962. Its first advertisement, appearing in the *National Guardian* of April 2, 1962, reproduced the contents of a leaflet the group had been distributing in Boston, demanding withdrawal of U.S. support from the Communist-besieged South Vietnamese Government. Hammer & Steel appealed for funds to

[11] Ibid.
[12] *Vanguard*, January 1961, "Cuba's Revolution Aids Interests of U.S. Workers."
[13] The episode was related by Jo Ann Santiago herself in the *Vanguard* for May 1960. The article was written from Cuba, where Jose and Jo Ann Santiago sought asylum after their efforts against the deportation proceedings were unsuccessful.

continue with such activities and listed its address as P.O. Box 101, Mattapan Station, Boston, Mass.

This post office box, the only known address of the Communist splinter organization, is registered in the name of Homer Chase. Later that same year, the box also became the mailing address for a monthly *Hammer & Steel Newsletter*. Although Hammer & Steel literature has failed to identify any of the individuals connected with the new Communist operation, the Communist Party, U.S.A., in the spring of 1963 identified Homer Chase as editor of the *Hammer & Steel Newsletter* and supplied the additional information that he had been expelled from the orthodox party 2 years earlier.

Homer Chase appeared as a witness before this committee on November 21, 1961, in the course of hearings on the structure and organization of the Communist Party of the United States. He was questioned regarding the reasons for his ouster from the top office (organizer) of the New England District of the CPUSA and from the party's national committee—disciplinary actions which had been completed by January 1961. Communist Party documents entered into the hearing record showed Chase was charged with actively opposing orthodox Communist strategies in favor of "ultra-left" tactics. Although he refused to describe his relationships with the Communist Party on grounds of possible self-incrimination, Chase was frank in stating his views that Stalin was a "humanist" unjustly attacked by Khrushchev and that the "outstanding Marxist-Leninist" was the Chinese Communist boss, Mao Tse-tung.

The avowed aim of Hammer & Steel is to help organize a Marxist-Leninist (Communist) Party in the United States "which bases its line on the teachings of Lenin, Stalin and Mao Tse-tung" (*Hammer & Steel Newsletter*, January 1963). Soviet dictator Khrushchev has betrayed the revolutionary spirit of Marxism-Leninism, Hammer & Steel's publications charge, while leaders of the orthodox CPUSA have "abandoned revolutionary theory and practice" and, "from fear of revolution," degenerated into support of counterrevolution (*Newsletters*, November 1962, May 1963).

Hammer & Steel has brashly called upon true Marxist-Leninists in the United States to send communications to the Soviet Communist Party's Central Committee in Moscow wishing it "success in the defeat of the revisionist clique headed by Khrushchev." [14] It has been extremely active in the distribution of Chinese Communist writings dealing with Chinese differences with the Soviet and United States Communist Parties. It has circulated, often without charge, such pamphlets from Peking as *A Comment on the Statement of the Communist Party of the U.S.A.*, *A Proposal Concerning the General Line of The Communist International Movement*, and *On the Question of Stalin*. It has itself published another Chinese Communist diatribe in a pamphlet titled *Which Path—Cowardice or the Teaching of Mao Tse-tung?* Hammer & Steel advertised in its April 1963 *Newsletter* that it had "just received—The Albanian position—in English—10 different pamphlets on ten different subjects," which were available to anyone paying a mailing cost of $1.50.

As this report earlier pointed out, Hammer & Steel was singled out for attack by the Soviet Communist Party in July 1963 as an example

[14] *Hammer & Steel Newsletter*, November 1962.

of "renegades" in non-Communist countries who are receiving support from the leadership of the Chinese Communist Party. The Communist Party, U.S.A., has also felt compelled to warn Moscow-oriented Communists throughout the world regarding the work of Hammer & Steel. The warning took the form of a letter from the CPUSA to the editors of *World Marxist Review*, a magazine published in Czechoslovakia and circulated internationally in many languages to keep the party-faithful in all lands apprised of important developments in the international Communist movement (from a Soviet rather than a Chinese Communist point of view). The letter from the CPUSA, appearing in the March 1963 issue, declared at the outset that the Hammer & Steel publication, edited by Homer Chase, "has been sent around the world from the U.S." Chase's expulsion from the orthodox party was described, and the "renegade" was then charged with various sins such as "openly fighting the C.P.U.S.A. through the bourgeois press" and receiving support from "unsavory sources," not further identified. The CPUSA "suggested" that the information it supplied be given to responsible party workers and editors and that Chase and his publication be considered "provocateurs." The letter also contained the following brief warning about propaganda issued by a second Communist splinter organization in the United States:

> There is another such publication called *Progressive Labor* edited by Milt Rosen, expelled from the C.P.U.S.A. that is being circulated internationally.

Hammer & Steel and the Progressive Labor Movement were attacked again in the lead article of the January 1964 issue of *World Marxist Review*. The article dealt with a new "extremely serious danger" to international Communist unity resulting from Communist deviationists operating under a "cover of leftist pseudo-revolutionary slogans." Such elements operated both in "concealed forms" and overtly as "splinter groups," the journal noted. In addition to identifying some of the splinter groups active in various non-Communist countries, the Communist magazine made innuendo-filled reference to the apparent "substantial material means" of such groups:

> In some countries small but vociferous factionalist groupings have emerged and are engaged in disruptive activities. They include such anti-party groups as the Progressive Labor, Hammer and Steel and others in the USA, consisting of renegades and adventurist elements rooting for a "new Marxist party" * * *.
>
> * * * * *
>
> The fact that these small breakaway groups often have at their disposal substantial material means and are able to publish factionalist literature affords food for thought.
>
> It is very distressing to Marxists when they read that these splitters are hailed by the Chinese press as true Communists and revolutionaries, while whole parties and their leaders are smeared as revisionists and accomplices, and sometimes even as direct agents, of imperialism.

Hammer & Steel representatives, as previously noted, have conferred with POC members on common views and common actions with some success. Hammer & Steel itself has confessed that repeated efforts

to hold similar discussions with the Brooklyn-based Progressive Labor Movement have been rejected. The Boston organization will have nothing to do with Trotskyist groupings.

Hammer & Steel literature makes no reference to practical activities by H&S supporters other than those involving the distribution of printed propaganda. It does, however, provide clues to the "correct" policies which the group expects a new and genuine Communist party to follow. For example, Hammer & Steel has announced firm opposition to Communists working within major political parties, which it views as supporting a government which is the "leading enemy of all progressive mankind." The Cuban revolution should be emulated by other Latin Americans and by the Negro people of the United States, who should be armed and fight for state power for the "oppressed Negro nation" in the South, according to Hammer & Steel propaganda.

Progressive Labor Movement

The appearance of the monthly publication *Progressive Labor* in January 1962 heralded public agitation by another Communist group. According to a later issue of the new publication, more than 50 delegates from Progressive Labor groups in 11 cities met in all-day conference at a New York City hotel on July 1, 1962, and formed a nationwide organization.

This so-called Progressive Labor Movement avowed that its immediate tasks were to develop a program and a corps of leaders for the eventual launching of a revolutionary Marxist-Leninist (Communist) Party. A report adopted by the July conference declared:

> The socialist revolution in the U.S. will be born from the union of a revolutionary program and dedicated revolutionary groups. Each—program and personnel—is essential to the marriage if a revolutionary family is to grow.[15]

The editors of *Progressive Labor* were Milton Rosen and Mortimer Scheer, who emerged from the July 1, 1962, conference as chairman and vice chairman, respectively, of a national coordinating committee directing the work of the Progressive Labor Movement. By 1963, the organization had initiated a second publication, the *Marxist Leninist Quarterly*, with Rosen and Scheer as editors. In the summer of that year, the editorship of *Progressive Labor* was turned over to Fred Jerome.

The mailing address of both publications is G.P.O. Box 808 in Brooklyn, N.Y. The top officer of the Progressive Labor Movement, Milton Rosen, is a Brooklynite and former official in the New York State apparatus of the CPUSA.

As in the case of the POC, the Progressive Labor Movement grew out of a faction within the orthodox Communist Party. Rosen had been a member of the New York State Committee of the CPUSA and its State labor secretary. Mortimer Scheer, of Buffalo, N.Y., was a member of the same State committee and chairman of the Erie County organization of the party. When the two men began publishing *Progressive Labor* after being expelled from the CPUSA,

[15] *Progressive Labor*, July–August 1962, p. 5.

orthodox Communist publications publicized the activities which had led to their expulsion and that of their followers.

Rosen and Scheer were described as having been organizers of active opposition to party strategies within the party ever since the December 1959 national party convention. Condemnation by the national committee and loss of party offices in August 1961 allegedly failed to deter Rosen from "secret factional activities," which included conducting meetings and recruiting members to the faction from other areas of the country. The CPUSA noted that the Rosen group had admitted at a party hearing to holding a faction meeting on December 2–3, 1961. The expulsion of Rosen and three other comrades was announced in *The Worker* of January 7, 1962; the ousting of Scheer and five others in the Buffalo area had been reported in *The Worker* of December 31, 1961.[16]

Although it has predicted that the Progressive Labor Movement will fare no better than "other dogmatic sects which split from the Party," the CPUSA has, nevertheless, taken pains to explain the error in the Progressive Labor Movement's ways to orthodox Communists in the United States in addition to alerting Communists of other lands to the unorthodox nature of the Progressive Labor Movement activity. As previously noted, the CPUSA letter to the *World Marxist Review* denouncing the Hammer & Steel publication called attention to *Progressive Labor*, which allegedly was being "circulated internationally."

Publications of the Progressive Labor Movement register sympathy for the Chinese Communist viewpoint on matters in dispute with the Soviet Communist leadership. The monthly *Progressive Labor* has expressed pride that a full text of one of its editorials in behalf of Chinese Communist policy had been reprinted by *People's Daily*, the leading newspaper in Communist China. The publication has also referred readers to an American importing firm for supplies of official Chinese Communist policy statements in the English language. Progressive Labor Movement has expressed confidence that Communist China will be the world's greatest power in several decades. At the same time, the organization has expressed concern that divisions in the world Communist movement could lead to non-Communist advances, and its criticisms of the Soviet leadership have been couched in such moderate language that they have drawn ridicule from the frenetically pro-Chinese Hammer & Steel.

Moderation, however, is not a feature of Progressive Labor statements regarding the methods by which it proposes to help bring communism to power in the United States. Progressive Labor Movement Chairman Milton Rosen declared:

> The emergence of the Progressive Labor Movement is an important sign that U.S. imperialism was and is unable to destroy the drive for a revolutionary socialist movement in this country. * * * It is our aim to encourage a program of an

[16] The expulsions of Rosen and Scheer from the CPUSA and their subsequent role in the Progressive Labor Movement were discussed at some length in *The Worker* of January 28, 1962, p. 5, and *Political Affairs* of February 1962, pp. 59–64.

Rosen appeared as a witness before the Senate Internal Security Subcommittee on October 10, 1960, and invoked his fifth amendment privilege against self-incrimination in response to questions concerning his role within the New York State organization of the CPUSA. Scheer invoked his constitutional privileges and refused to discuss his activities in the Communist Party during public hearings by the Committee on Un-American Activities in Buffalo, N.Y., on October 1, 1957.

> intermediate character for every phase of American life—a program that will develop sharp class struggle * * *. We intend to find out how to elevate every daily struggle of the people into revolutionary will. It is our intent to help build a mass revolutionary party. It is our belief that the objective conditions exist in our country and on a world scene for such a development. We will encourage every revolutionary or militant tendency among the people. * * *[17]

Progressive Labor Movement has maintained that "serious people" cannot accept some Communists' ideas that "revolution is no longer possible or desirable or necessary, especially in the advanced countries," where parliamentary systems provide a vehicle for evolutionary change.[18] And Milton Rosen has harangued college students as follows:

> We American Communists * * * must maintain the outlook of smashing the ruling party.
>
> * * * * *
>
> American radicals (the socialists) do not have a violent outlook. History has shown that it is the ruling class that resorts to violence. The workers, however, must be prepared for violence out of self defense.[19]

Progressive Labor Movement publications indicate that members of this splinter group have been attempting to carry out an ambitious action program in apparent implementation of the organization's pledge to encourage revolutionary and militant tendencies among the American population. A report adopted by the July 1962 conference, allegedly creating a national Progressive Labor organization, listed the formation of Progressive Labor clubs, Marxist study circles, and "class-conscious single-issue organizations" as the most important organizational activities in the immediate future.

By the summer of 1962, the movement already claimed 1,200 "paid readers" of its monthly *Progressive Labor* and said it was operating Progressive Labor clubs in New York City; Buffalo; Philadelphia and Williamsport, Pa.; San Francisco; and unnamed localities in Massachusetts, North Carolina, and Georgia. A Progressive Labor Club was formed at the University of North Carolina at Chapel Hill in the summer of 1962, but it disbanded in 1963. A Progressive Labor Student Club was started at Columbia University in November 1962, and by late 1963 the activities of a chapter of Progressive Labor at City College of New York were being publicized. In 1963 letters were being sent out in the name of a New York Progressive Labor Student Club, exploring possibilities of a national conference to set up a student organization with a "revolutionary student program." In addition, three street addresses on New York City's West Side, Lower East Side, and in Harlem are advertised as public neighborhood centers of the Progressive Labor Movement.

"Single-issue organizations," through which Progressive Labor Movement apparently seeks to arouse the militancy of the "masses,"

---

[17] *Marxist Leninist Quarterly*, vol. 1, No. 2, 1963, p. 65.

[18] Ibid., pp. 23–25.

[19] Speech of Milton Rosen before New Left Club at University of North Carolina, December 3, 1962, reported in university newspaper, *The Daily Tar Heel*, of December 5, 1962, and reprinted in *Progressive Labor* of January 1963.

have taken such forms as the Philadelphia and Williamsport Committees for a Six-hour Day with Eight Hours' Pay. These committees are headed respectively by Joe Dougher, variously described as national chairman and national organizational secretary of the Progressive Labor Movement and former member of the national committee of the orthodox Communist Party, and Paul Ault, president of the Williamsport Progressive Labor Club. Both men have also allegedly been active in conferences aimed at setting up committees and councils to end unemployment.

Progressive Labor forces have manned picket lines and conducted street meetings on a variety of issues. They have picketed United Nations headquarters and distributed leaflets demanding a U.N. resolution to "compel" the U.S. Government to help the unemployed. They have joined picket lines set up by striking unions. (The Progressive Labor Movement "program" with respect to the trade union movement calls for the formation of rank-and-file union committees which will fight more militantly for labor demands, regardless of decisions made by union leaders. Because the AFL–CIO leadership is allegedly a confirmed collaborator of big business, Progressive Labor Movement also promotes the establishment of a second federation of labor, including the Teamsters and Communist-dominated unions ousted from the CIO.) Progressive Labor Movement claimed it was the only "left" organization on the streets of New York City during the crucial days of the Cuban crisis in October 1962. The organization had issued leaflets and conducted several street meetings in opposition to the U.S. blockade of Communist Cuba. Later that same year, Progressive Labor Movement took credit for distributing thousands of leaflets against civil defense drills in schools.

During 1963, Progressive Labor Movement picketed the late President Kennedy, allegedly in behalf of civil rights. (The Progressive Labor Movement has scoffed at nonviolent civil rights movements; announced its support for the concept of "armed self-defense" by the Negro people; and called for defense of the Black Muslims on the ground that their demand for a separate state cannot be achieved under capitalism and is thus a "revolutionary demand.") Progressive Labor Movement also distributed handbills calling for street demonstrations against alleged instances of police brutality. The organization tried to gather the signatures of 5,000 registered voters by September 13, 1963, in order to put a "Progressive Labor Party" candidate on the ballot for New York City councilman at large from Manhattan. Although its efforts, which allegedly included the distribution of more than 100,000 pieces of literature in 2 months, were unsuccessful, Progressive Labor Movement reported as a side benefit an increase in the organization's membership. (Progressive Labor Movement opposes work within the Democratic and Republican "war parties" and endorses any steps toward a third party.)

When Milton Rosen was active in the CPUSA, he protested that the orthodox Communist tactic of covertly infiltrating non-Communist groups and causes brought no public recognition of Communist work, and he advocated bringing party leaders and programs more into the public eye (*Political Affairs*, November 1959).

Rosen's report to the founding conference of a national Progressive Labor organization stressed that a fundamental prerequisite to forming a new Communist party was developing forces "capable—among

other things—of bringing Progressive Labor activities into the public spotlight." From this viewpoint, the most successful activity during the past year was a 2-month visit to Cuba undertaken by a 59-member U.S. "student" delegation in defiance of U.S. regulations prohibiting such travel.

Committee investigations, which led to public hearings on May 23 and September 12 and 13, 1963, showed that youthful members of the Progressive Labor Movement had played a leading role in organizing the trip to Cuba and in supervising the delegation during its travels there in July and August of 1963. Witnesses interrogated during these hearings included five members of the Progressive Labor Movement who had made the trip. Their testimony and other evidence showing how Progressive Laborites openly and deliberately defied the U.S. Government on the Cuban travel issue are summarized in another section of this annual report.[20]

The sojourn of the U.S. student delegation in Cuba—featured by an unremitting stream of propaganda statements from the "students"—was widely publicized, as was the subsequent prosecution of two Progressive Laborites for conspiracy to violate U.S. travel control laws. The movement obtained additional public attention when Progressive Labor supporters created so much disorder during this committee's Cuban travel hearings that the proceedings had to be suspended temporarily while shouting, scuffling demonstrators were forcibly ejected from the hearing chamber. Members of the student delegation to Cuba, meanwhile, lectured on their trip before audiences of young people from the East to the West Coast, and a student committee for travel to Cuba, chiefly manned by Progressive Laborites, announced it would continue to defy U.S. travel laws by recruiting 500 delegates for a trip to Cuba in the summer of 1964.

Progressive Labor Movement publications maintained that the student travelers to Cuba had shown the world "how to fight against an oppressive state machinery." Although "courage" and "boldness" were important elements in their "success," the organization declared, a key element "in the eyes of the world" was their forthright declaration of their political opinions. "Those who were members of the Progressive Labor Movement said so and said why," the *Progressive Labor* issue for October–November 1963 noted.

The splinter group claimed that congressional and Federal grand jury investigations and Federal indictments following the unauthorized student trip to Cuba resulted in "increased interest from the public, and increased membership for the Progressive Labor Movement." Chairman Rosen told the press in September of 1963 that his movement had grown to 1,000 members located in 60 to 70 clubs across the country and that 6,500 persons read the monthly *Progressive Labor*.

Unlike POC and Hammer & Steel, the Progressive Labor Movement's disagreements with the Trotskyists and orthodox Communists have not prevented the Progressive Labor Movement from cooperating with them in agitational activity. Progressive Labor Movement and Trotskyist groups have been represented on the same picket line on various occasions and on the same speakers' platform

[20] See pp. 30–84, hearings on Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States.

at more than one public meeting, agitating on such subjects as support for the Cuban revolution or Puerto Rican independence. Progressive Labor Movement has announced a desire to work with all left groups for nonenforcement and repeal of the Internal Security Act, under which the CPUSA is now being prosecuted. The organization also has stated it will refuse to engage in any "fratricidal war" with the CPUSA, the Trotskyists, or any other "socialist" group.

Workers World Party

Trotskyist groups which have worked with the Progressive Labor Movement include the Workers World Party.

The latter organization, for example, publicly supported the aforementioned project of sending a delegation of young people to Cuba in the summer of 1963 in defiance of U.S. travel regulations. The Workers World Party boasted that its own supporters, as well as those of Progressive Labor, were among the demonstrators whose behavior was so unruly that they had to be ejected from the House Caucus Room in which this committee held hearings on the subject of Cuban travel on September 12 and 13, 1963. When a public rally was held 2 days later in New York City's Town Hall to present the views of the student delegation to Cuba, however, more than 100 persons recruited from the ranks of the Workers World Party, the Progressive Labor Movement, and the Socialist Workers Party, acting as a "united front defense guard," ejected potential hecklers before proceedings got underway, and otherwise "assured an orderly meeting." [21]

The *Workers World* group of Trotskyists emerged into public view in March 1959 with the first issue of a semimonthly publication, *Workers World*. The publication listed Vincent Copeland as its editor and the location of its editorial offices as 46 West 21st Street in New York City.

A statement of principles in the first issue of *Workers World* was issued in the name of five former members of the National Committee of the Socialist Workers Party. They included the editor, Vincent Copeland, and Sam Marcy, also known as Sam Ballan, who was identified in later issues of *Workers World* as being chairman of the Workers World Party.

Workers World subsequently publicized activities of branches of the Workers World Party located in New York City, Buffalo, Los Angeles, and Seattle. The party's first street demonstration in New York on November 14, 1959, brought out 70 pickets, and its first public meeting in New York on February 20, 1960, addressed by Sam Marcy, reportedly attracted an audience of 130 persons to hear about the organization's efforts to build a "proletarian revolutionary party" in the United States.

The *Workers World* was founded by former members of the Socialist Workers Party who had walked out of the SWP in February 1959, under the leadership of Sam Marcy, because the old-line Trotskyist organization was not sufficiently revolutionary in its outlook. The first statement of principles by the *Workers World* group declared that: "After years of patient and loyal effort to keep the SWP [Socialist Workers Party] on a course of principled revolutionary poli-

[21] *Workers World*, September 27, 1963, pp. 1, 3, 4.

tics * * * we are forced to break into the arena of open conflict for the leadership of the revolutionary working class movement." [22]

Like other Communist splinter groups, *Workers World* forces refer to themselves as the genuine Communists whose goal is to clarify "revolutionary ideas" in preparation for organizing "a genuine Marxist-Leninist [Communist] party." They dispose of their competitors in language such as the following which appeared in the first *Workers World* editorial of March 1959:

> We are living in an epoch of convulsions and catastrophes. It is characterized by a race between imperialist wars and proletarian revolutions. * * *
>
> * * * * *
>
> Marxism has always taught that social convulsions, catastrophes, war and revolutions are * * * inevitable qualitative changes after * * * years if not decades of "peaceful" development and sharpening of irrepressible class antagonisms.
>
> Our task is to prepare the masses for these eventualities, not to sing them to sleep with pacifist lullabies. * * *
>
> * * * * *
>
> Today, all the other socialist and communist groups show an abhorrence and dread of the oncoming world struggle. * * *
>
> All the more is it necessary to have a party which will call a spade a spade * * *.[23]

Soviet Communists under Khrushchev's leadership, according to *Workers World*, have put forward illusions regarding "a peaceful road to Socialism, voluntary disarmament by the imperialist states and peaceful co-existence with them for an indefinite period." They have "dumped Leninist theory overboard" because:

> Lenin taught a certain theory of the state. He taught the necessity for the forcible overthrow of capitalism no matter how big a parliamentary majority the workers parties would obtain. (He explained the inevitable armed resistance of the capitalist class to any peaceful expropriation of themselves by the majority.)[24]

Regarding the Communist conquest of power in the United States, *Workers World* has relied on innuendo, in spite of its vows to call a spade a spade. The public statement of principles issued by *Workers World* leaders in March 1959 dealt with the subject only indirectly via a denunciation of Socialist Workers Party policy:

> while the SWP [Socialist Workers Party] majority has been most vociferous * * * about the "political revolution" in the Soviet bloc, they have been soft pedaling the idea of proletarian revolution at home in capitalist America. The

[22] The history and policies of the Socialist Workers Party were outlined in this committee's report on *Communist and Trotskyist Activity Within the Greater Los Angeles Chapter of the Fair Play for Cuba Committee*, released November 2, 1962. That report called attention to increased activity and influence of the Trotskyist organization in recent years and its "united front" actions with the Communist Party, U.S.A., despite ideological differences.

[23] *Workers World*, March 1959, pp. 1, 2.

[24] Ibid., August 11, 1961, p. 4; April 1959, p. 6.

> teachings of Lenin and Trotsky on the seizure of power by the proletariat have more and more been shelved in favor of the parliamentary road to socialism.[25]

The *Workers World* group was less ambiguous in a little-publicized "Final Statement" it had issued February 12, 1959. In the course of outlining the "great issues" which divided the dissidents from the majority in the SWP and led to a decision to start a new party, this document flatly asserted:

> We reject the bourgeois democratic illusion of the constitutional road to power. And we want to prepare for the revolutionary overthrow of American capitalism. * * *

Workers World propaganda has maintained that there will be a "world-wide" imperialist war directed against the Soviet Union and China "if there are no more successful revolutions in the rest of the world"; at the same time it has expressed confidence that "the revolutions *will* be successful." World war, according to *Workers World* elements, can therefore be avoided, not through disarmament (which is "impossible") and not in a "pacifist" way, but in "a revolutionary way." [26]

From its inception, the Trotskyist splinter organization has supported policies of the Chinese Communists under attack by the Soviet Communist leadership and circulated the Chinese Communist views through the pages of *Workers World*, as well as through separate printed pamphlets. The *Workers World* describes the Chinese Communist Party as the leader of the "revolutionary elements" in the international Communist movement. And the Chinese Communists are even credited with providing the movement with "an accurate Marxist-Leninist analysis of world reality today." [27]

Workers World has publicized and supported revolutionary situations around the globe, from Vietnam to Cuba, and the Workers World Party has taken to the streets to agitate on such issues. The Trotskyist group has been particularly active in support of the Cuban revolution, the "example and message" of which keeps "echoing around the world" (*Workers World*, September 13, 1963). Chairman Sam Marcy and other members of the Workers World Party were forcibly ousted from the United Nations headquarters building in New York on January 4, 1961, for participating in a demonstration in the visitors' gallery. The demonstrators had greeted the United States delegate's speech on the breaking of diplomatic relations with Cuba with shouts of "Viva Castro" and "Down with Wall Street Im-

---

[25] Ibid., March 1959, p. 7.
[26] Ibid., January 13, 1961, p. 2; March 24, 1961, p. 2.
[27] Ibid., December 7, 1962, p. 1 and January 25, 1963, p. 4.
In its publicity in behalf of Chinese Communist policies, *Workers World* has minimized differences with the Chinese Communist leaders resulting from the fact that the local group avowedly reveres the former Soviet Communist leader Leon Trotsky, while the Chinese Communists venerate Trotsky's bitterest foe, Joseph Stalin. The Chinese Communists have charged Khrushchev with slandering Joseph Stalin and with trying to negate the late Soviet dictator's true role as a "great proletarian revolutionary" whose merits outweighed his faults. The Chinese have also defended Stalin's purge of Trotskyists in the Soviet Union.
Whereas the Socialist Workers Party has denounced the Chinese Communists for thus trying to "rehabilitate" Stalin, the *Workers World* group has responded by accusing the Socialist Workers Party of fainthearted support for Communist China. The *Workers World* has even found some good words to say about the man who has always been an anathema to Trotskyist movements. *Workers World* declared on December 22, 1961, that Khrushchev's de-Stalinization campaign was a fraud and, anyway, Stalin had played a "dual role" in the Communist movement and should be credited with defending "the gains of the proletarian revolution."

perialism." The Workers World Party also sponsored "Hands Off Cuba" meetings in support of the Communist government of Cuba. Another issue on which the Workers World Party has taken to the streets is Puerto Rican independence.

Domestically, *Workers World* propaganda has concentrated on civil rights issues. The publication, which has expressed "solidarity" with Negro nationalist groups, has incessantly appealed for the formation in the North and South of armed "civil rights" defense guards which are "organized, drilled and trained in the use of arms" (*Workers World*, May 26, 1961). The Trotskyist publication has also appealed for funds to buy rifles for southern "freedom fighters."

In the field of politics, the *Workers World* has opposed orthodox Communist policy of working within the major political parties and, instead, has advocated organizing for independent political activity "by the methods of class struggle and mass action." On the trade union front, *Workers World* has attacked union leaders for repressing the militancy of the workers, has urged the organization of workers' committees in defiance of union leaders, and the formation of militant mass demonstrations by unemployed workers. The *Workers World* solution for the steel strike in 1959 and 1960 was a general strike by all American labor.

As previously noted, the Workers World Party has cooperated with the Progressive Labor Movement on various occasions. It has also pledged "all out solidarity" with the Communist Party of the United States in its fight against enforcement of the Internal Security Act and it has appealed for funds for the party's legal defense.

Significance of the Growth of Communist Splinter Groups

The operations of an increasing number of competitive Communist organizations have created a number of problems for the Communist Party, U.S.A. The party has complained about having to expend effort combating attacks from these groups at a time when its leaders are being prosecuted under the Internal Security Act by the U.S. Government and when, because of this, it has ordered its members to operate from more concealed or "underground" positions.

One of the party's problems is to prevent defection of its own members to the new groups. These groups have been founded largely by former members of the orthodox party who left it or were expelled because they were unwilling to go along with its policies. Initially, in building their membership, these groups naturally tended not so much to recruit among non-Communist Americans, as to seek support from already-convinced Marxists-Leninists (i.e., members of the orthodox Communist Party, for the most part). There is no question but that the main Communist Party has lost some of its more fanatical members to the new organizations.

The CPUSA has also had to fight against any weakening of the loyalties of those members remaining in its ranks. The party has traditionally operated as a paramilitary organization in which the rank and file are expected to carry out instructions from their leaders with lockstep precision. The average Communist is not supposed to question the correctness of the party program which he helps to carry out. A variety of party disciplinary bodies helps the comrades hew

to a line which has been handed down from a dictatorial clique of Communists in the U.S.S.R.

In the zealous performance of party tasks, many U.S. Communists are, of course, further fortified by the Communist "faith." Their united, disciplined forces are leading struggles which will *inevitably* result in a worldwide Communist society assuring peace and plenty for all mankind, according to Communist teachings. Communists allegedly are able to understand the past, present, and *future* development of society because they practice a "scientific socialism." This "science" is also supposed to guide them into taking the proper actions to reach their goal.

When various Communist parties argue in behalf of different courses of action while ostensibly applying the same scientific socialist principles, some orthodox Communists are likely to discover that there must be fallacies in Communist teachings and question the authority of Soviet and U.S. Communist leaders. The CPUSA has felt compelled to issue a considerable amount of literature defending its made-in-Moscow positions against the criticisms of dissident Communists here and abroad. Like the Soviet Communists, the U.S. Communist leaders have sought to preserve their traditional authority over Communist believers by treating their competitors as impostors.

The concern of orthodox Communist leaders over retaining the wholehearted support of their members was implicit in the following recent warning to party comrades by the party's general secretary, Gus Hall:

> If any comrade has ideas that there are competing trends of Marxism-Leninism, such a comrade will not fight for the party. We cannot accept such a concept. There can be only one science of Marxism-Leninism, only one scientific socialism.
>
> That science cannot be correctly represented by two parties and two policies in a single country. There are opportunistic swings from the correct path of that science. There can be differences in tactics, as the science is applied and as it develops, but there cannot be two varieties of that science. * * *[28]

The new Communist groups also have created problems for the party outside its immediate ranks. The dissident organizations include individuals experienced in the operation of Communist fronts and in the infiltration of "people's" organizations as a result of their past affiliation with the CPUSA. It is therefore not surprising to find that orthodox Communists have recently had to contend with dissident Communists for power and influence within certain Communist fronts and organizations of non-Communists.

This competition from the "left," however, may very well stimulate orthodox Communists to more vigorous and militant activities. CPUSA leaders have indicated dismay that radicals outside orthodox ranks must be credited with more "successful" activity in certain areas than the party could achieve. Gus Hall's recent warning to Communists against straying into the camp of the dissident "leftists" was

---

[28] Section of extended report by Gus Hall to leading Communist Party personnel delivered in October 1963 and printed in *The Worker,* November 17, 1963, pp. 5, 9.

significantly coupled with a plea for more "militancy" on the part of the orthodox comrades:

> There is need for some clarification of the concepts of "militancy" and "Leftism." Of course, they are not the same. Militancy must be developed and Leftism must be fought. * * * We need to give more attention to the role of militancy as a feature of our work, and we need to fight against an easy-going, non-mobilizing routinism which has appeared in our ranks. * * * [29]

There is no question that this Nation's problems of internal security have been aggravated by the mushrooming of Communist organizations professing a more militant and genuinely revolutionary outlook than the Communist Party, U.S.A.

A number of these new Communist groups, as well as the older Trotskyist Socialist Workers Party, have been boasting of their ability to attract young people into their ranks. The previously cited episode, in which a large "student" delegation deliberately defied U.S. travel regulations with respect to Cuba, indicates that these extremists have had some success in exploiting the immaturity of youth for subversive, Communist ends.

Another aspect of the activity of the groups which should not be overlooked is the increased possibility of Communist-instigated violence if the belligerent line of such organizations finds a substantial number of sympathizers among the American population, whether youthful or adult.

The expanding, organized activities of Communists whose Mecca is Peking rather than Moscow call for increased alertness and study by both law-enforcement and lawmaking agencies.

---

[29] *Ibid.*

CHAPTER II

HEARINGS CONDUCTED FOR LEGISLATIVE PURPOSES

U.S. COMMUNIST PARTY ASSISTANCE TO FOREIGN COMMUNIST GOVERNMENTS

(Testimony of Maud Russell)

By resolution of August 2, 1962, the committee embarked upon a series of hearings relating to the necessity for, or advisability of, recommending amendments to the Foreign Agents Registration Act and for the purpose of exercising the committee's legislative oversight functions in appraising the administration of the act. The committee particularly directed its attention to the activities of members and affiliates of the Communist Party engaged in the conduct of propaganda on behalf of foreign Communist governments—an area in which court decisions have raised questions as to the true test of the agency relationship within the meaning of the act.

The initial hearings of the committee on November 14, 1962, involved two organizations, the Medical Aid to Cuba Committee and the Friends of British Guiana. Hearings were continued on March 6, 1963, when the committee received the testimony of Maud Russell, publisher of the *Far East Reporter*, who has been actively engaged for many years as a speaker and publisher, principally upon the subject of Red China.

Maud Russell was identified as a "secret" member of the Communist Party at the national level by former FBI undercover operative Armando Penha in testimony before this committee on March 19, 1958. Mr. Penha also testified that Miss Russell was a writer for Far Eastern publications whose "influence extends from border to border" and whose primary objective "is recognition of China, speaking always in terms of peace and trade with the East and West."

In her testimony before the committee on March 6, Miss Russell invoked the fifth amendment privilege against self-incrimination, refusing to affirm or deny the testimony of Armando Penha. She also invoked the fifth amendment in refusing to answer questions pertaining to past or present Communist Party membership.

Miss Russell's activities had most recently come to the attention of the committee in May 1962, when it received the testimony of Chichou Huang, a professor who had defected from Red China a short time prior thereto.

Mr. Huang, in 1945, had received a scholarship from the Yunnan Provincial Government of Nationalist China for study in the United States. He was a student in this country from 1945 to 1949. He first entered Johns Hopkins University as a premedical student, but transferred to the University of Maryland after one semester. In the latter part of 1948, he decided to return to China to join the Communist forces which then controlled the northern part of the country.

Huang sought the assistance and advice of a Dr. Frederick A. Blossom, an employee of the Library of Congress, whom Mr. Huang had met while attending a lecture by Scott Nearing, a former member of the Communist Party who is still active in Communist fronts and causes. Dr. Blossom suggested that Huang contact Maud Russell and arranged a meeting in his Washington, D.C., office so that Mr. Huang could discuss the matter with her.

Mr. Huang testified on May 24, 1962, that at that meeting Maud Russell had suggested that he contact a Chinese newspaper, the *Hua Shang Pao*, that is, the *Chinese Commercial Daily*, in Hong Kong, where he would receive information that would put him in contact with Communist guerrillas in North China.

In her appearance before the committee on March 6, 1963, Miss Russell testified that she had in fact met with Mr. Huang in the offices of Dr. Blossom and "very faintly" recollected her conversation with him. When asked whether she had specifically referred Mr. Huang to the *Chinese Commercial Daily*, she replied that she did not recall, but did not "think" that she had referred him to any specific newspaper. She said she was "pretty sure" she had told Mr. Huang that if he went to Hong Kong he could get the information he wanted from newspapers there.

Maud Russell was a resident of China for 26 years, from 1917 to 1943, where she served on the staff of the China branch of the Young Women's Christian Association.

Since her return to the United States, Miss Russell has frequently appeared as a speaker at affairs sponsored by Communist-front organizations and as a lecturer at Communist Party schools on both the East and West Coasts.

Maud Russell was the executive director of the Committee for a Democratic Far Eastern Policy, serving in that capacity from 1946 until the dissolution of this Communist-front organization in 1952. She was also a frequent contributor of articles to its official organ, the *Far East Spotlight.*

When the Committee for a Democratic Far Eastern Policy was dissolved and the *Far East Spotlight* ceased publication, a new publication on the Far East was established with Maud Russell as publisher. This publication, the *Far East Reporter*, is an obvious propaganda organ for Communist China. It claims to make "available significant facts and analyses contributed by competent writers on the Far East." The "significant facts" consistently defend, praise, and promote the Communist government of Red China, branding as "fantasies" or "obvious fakes" reports of persecution, oppression, and starvation made by those who have been fortunate enough to escape the Red Chinese tyranny. The "competent writers" include such identified Communists as Anna Louise Strong, Israel Epstein, Susan Warren, Helen Travis, and Miss Russell herself.

Miss Russell admitted as "obvious" that she was the publisher of the *Far East Reporter* and agreed that a report in the magazine that she had served on the staff of the Young Women's Christian Association in China for 26 years, from 1917 to 1943, was correct. She conceded that after her return here she served as the executive director of the Committee for a Democratic Far Eastern Policy, cited as Communist by Attorney General Tom Clark in 1949. She also admitted

that she was the major defense witness for this organization in proceedings before the Subversive Activities Control Board, held for the purpose of determining whether it should be ordered to register with the Attorney General as a Communist-front organization. The respondent claimed that the organization had been dissolved on August 1, 1952.[1] She denied that the *Far East Reporter*, of which she is the publisher, was created to fill the void which occurred when the *Far East Spotlight* ceased publication.

It was pointed out to Miss Russell that certain persons who had recently written articles for, or whose articles have been distributed by, the *Far East Reporter*—Israel Epstein, Elsie Fairfax-Cholmeley, and Anna Louise Strong—had all been active in the Committee for a Democratic Far Eastern Policy and had also contributed to publications of the Institute of Pacific Relations (IPR). It was also pointed out to Miss Russell that the Senate Internal Security Subcommittee, after its investigation of the IPR, had reported that Israel Epstein and Anna Louise Strong had been identified in its hearings as members of the Communist Party and as persons who had collaborated with Soviet intelligence agents—and that Elsie Fairfax-Cholmeley had been the subject of governmental action involving loyalty or national security. In addition, Miss Russell was reminded that the Senate Internal Security Subcommittee had found the IPR, with which these persons had been affiliated, to be an instrument of Communist policy, propaganda, and military intelligence; to be controlled by staff members who were either identified Communists or pro-Communists; and to have the aim of orienting American Far Eastern policy toward Communist objectives.

Miss Russell denied knowing any of the above-named contributors to her publication as Communists.

The witness chose to avail herself of the fifth amendment privilege, however, when asked if she knew Susan Warren to be a Communist. Miss Warren, a recent contributor to the *Far East Reporter*, was a delegate to the New York State Convention of the Communist Political Association in August 1945 and thereafter an instructor at the Communist Party's now defunct Jefferson School of Social Science.

The committee introduced an exhibit which summarized part of Miss Russell's speaking itinerary over the prior 2 years. The witness agreed that the account was accurate, admitting that on all occasions she had devoted her talks to the subject of Red China. Although Miss Russell insisted that she "reported the facts," she conceded that the "facts" were "favorable" to the Red Chinese regime and that she believed the regime was good for the Chinese people.

---

[1] *Herbert Brownell, Jr., Attorney General of the United States,* Petitioner v. *The Committee for a Democratic Far Eastern Policy,* Respondent, Docket No. 113–53, before the Subversive Activities Control Board. The Attorney General filed a petition with the Board on April 22, 1953, for an order requiring respondent to register as a Communist-front organization as required by the Subversive Activities Control Act of 1950. Service of the petition was made upon Maud Russell, former executive director of respondent. An appearance was subsequently entered by David Rein as counsel for Maud Russell only, and motions to dismiss the petition and to quash service thereof were filed with the Board, alleging that respondent went out of existence in August 1952 and was nonexistent at the time of the filing and service of the petition. Testimony was taken on the motion, and the hearing examiner issued his report finding the named organization to have been nonexistent at the time the petition was filed and recommended to the Board that the petition be dismissed. This recommendation was adopted by the Board, one member dissenting. The Board did not pass upon or reach the merits or substance of the Attorney General's petition, but relied solely upon the mentioned technical ground for dismissal.

The committee's exhibit of Miss Russell's speaking itinerary was compiled from a series of notices about her activities carried in the Communist press.

When asked in what way these publications came into possession of knowledge of her speaking itinerary, she testified that she paid for advertisements in them. The witness conceded that she did not place such advertisements in any non-Communist publication, but confined herself exclusively to the *People's World* and *National Guardian.*

She denied having any knowledge of the Communist Party affiliations of Dorothy Hayes, who arranged her Chicago speaking dates between May and June 1961, or of Dr. J. C. Coleman, who arranged her Los Angeles speaking dates in October 1962. These two individuals, whom Miss Russell conceded knowing over a period of years, have been identified as members of the Communist Party during executive hearings held by this committee.

In early 1959, Maud Russell applied for and was issued a United States passport for travel to Great Britain, Scandinavia, France, the U.S.S.R., India, and Japan.

Documents introduced at the hearing confirm that she also visited Red China during that year, despite State Department regulations which prohibit such travel. Several of the announcements of her talks published in the Communist press, for example, stated that in 1959 she had spent 3 months traveling 10,000 miles through Red China's rural and urban areas.

In addition, the *Far East Reporter* subsequently reproduced four photographs of Miss Russell, which it reported had been taken in Shanghai, Tientsin, and other parts of China in 1959. An account of her trip was also reported in a *Far East Reporter* pamphlet entitled *New People in New China.* In a review of this pamphlet, the Communist monthly magazine, *New World Review*, of April 1960 stated:

> Maud Russell makes you share the pleasure and excitement of her return to China last year for a visit of three months.
>
> * * * * *
>
> It was a profoundly stirring China she saw in her lengthy travels throughout the country, and she describes vividly many revealing aspects of the dynamic life she observed.

When the committee asked Miss Russell if she had visited Communist China in 1959, she invoked the fifth amendment privilege against self-incrimination. She invoked the same privilege when asked whether she had made any prearrangements with Communists in the United States or abroad for her entry into Communist China; whether she had met any high-ranking Chinese Communist officials; whether she was a guest of the Chinese Government; and whether she had conferred with any officials of that Communist government and agreed to serve as a propagandist for Red China in the United States.

When asked from whom she had obtained the slides of life in Communist China, which she had displayed during a recent talk in Baltimore, Md., Miss Russell invoked the fifth amendment, but specifically denied obtaining them from Edwin S. Smith, who is registered under the Foreign Agents Registration Act as the U.S. agent of the China Photo Service of Peking, China, an agency of the Red Chinese Gov-

ernment. She declared that she has never registered as an agent of Red China and was not acting for a "foreign principal."

Although Maud Russell has for years paraded as an authority on China, has been billed as a "noted speaker on the Far East," and told the committee that Red China should have nuclear weapons, she repeatedly refused to answer committee questions concerning the Soviet-Red Chinese dispute regarding basic Communist policy toward the United States and the rest of the free world. (The Communist Party, U.S.A., is backing the Soviet Communist Party in its widely publicized arguments with the Chinese party over methods which should be employed by the international Communist movement in pursuit of a world Communist empire. The Chinese Communists, who are urging more militant and revolutionary tactics by the world's Communists, have been accused by Soviet Communists of lacking faith in any victory for communism without armed struggle and of ignoring the consequences of modern war and the use of nuclear weapons.)

Miss Russell invoked the fifth amendment in response to one question regarding these basic Communist policies which involve the security and possibly the very survival of the United States. In response to others, she said she did not want to get into a discussion of this "theoretical thing * * * this is a whole new field of relationships between the Communist parties, and I don't want to get into that question." She stated that she had been studying the Sino-Soviet differences, but did not have full knowledge and understanding of the subject.

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

One of the major subjects which concerned the committee during 4 days of executive hearings in Los Angeles, Calif., in April 1962 was the changes that had taken place in the organization, strategy, and leadership of the Southern California District of the Communist Party since the last committee hearings in Los Angeles, held in February 1959.

Several reorganizations of the party apparatus—the latest of which was designed to provide more effective concealment of Communist Party operators—were explored during the committee's interrogation of various local party functionaries. The committee also produced an array of exhibits at the hearings. Most of them were party documents, circulated at party conventions and similar secret conclaves, which spelled out current Comunist Party strategies in minute detail.

The testimony of 29 witnesses who were interrograted during these executive hearings on various aspects of party activity in the Southern California District was printed and released on July 31, 1963, under the title "'United Front' Technique of the Southern California District of the Communist Party." The testimony was accompanied by a committee report bearing the same title. The report summarized the results of the committee's staff investigations which led to the hearings.[2]

[2] See pp. 93–96 of this report for details of the Report on "United Front" Technique of the Southern California District of the Communist Party.

VIOLATIONS OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES—PARTS 1–4

On January 3, 1961, the United States severed diplomatic and consular relations with Cuba. The immediate but not the sole cause of this action was Castro's demand that the United States reduce its embassy and consulate personnel in Havana to 11 persons. Referring to this demand in his announcement of the break in relations, President Eisenhower stated:

> This unusual action * * * can have no other purpose than to render impossible the conduct of normal diplomatic relations with that Government.
>
> * * * * *
>
> This calculated action on the part of the Castro Government is only the latest of a long series of harassments, baseless accusations, and vilification. There is a limit to what the United States in self-respect can endure. That limit has now been reached. * * *

On January 16, 1961, the Department of State barred U.S. citizens from traveling to Cuba unless they had passports specifically endorsed for such travel by the Department. Some months later, it came to the attention of the Committee on Un-American Activities that American citizens with Communist Party and pro-Communist backgrounds were secretly traveling to Cuba—usually via Mexico—in violation of this ban. An investigation was initiated which led to the holding of 10 days of public hearings in 1963. These hearings were held in Washington, D.C., on May 6, 7, and 23, August 5, September 12 and 13, October 16, and November 18, 1963, and in Los Angeles, Calif., on July 1 and 2, 1963. A total of 42 witnesses testified in these hearings.

The legislative purposes of the hearings were to determine the need (1) for tightening laws regulating foreign travel of U.S. citizens and (2) for broadening the definition of persons required to register with the Attorney General under the Foreign Agents Registration Act of 1938.

May 6 Hearing

On May 6, 1963, a subcommittee of the Committee on Un-American Activities held the first in a series of hearings on the subjects of violations of State Department travel regulations and pro-Castro propaganda activities in the United States.

The subcommittee was composed of Representatives Edwin E. Willis (chairman), William M. Tuck, and August E. Johansen. Also in attendance at the hearings at various times were Representatives Joe R. Pool, Donald C. Bruce, Henry C. Schadeberg, and John M. Ashbrook.

Following is the text of the opening statement read by Mr. Willis, the subcommittee chairman:

> The subcommittee is convened to conduct hearings upon the subjects of inquiry and for the legislative purposes set forth in the committee resolution adopted April 24, 1963. I offer this resolution for the record. It reads as follows:
>
> "BE IT RESOLVED, that hearings by the Committee on Un-American Activities or a subcommittee thereof, be held

in Washington, D.C., or at such other place or places as the Chairman may determine, on such date or dates as the Chairman may designate, relating to (a) Communist propaganda activities in the United States conducted in support of the Communist regime in Cuba, or for the purpose of advancing the policies and objectives of the world Communist movement in Latin America generally, (b) the activities of United States citizens acting on behalf of, or in the interest of, foreign Communist principals, and (c) foreign travel undertaken by United States citizens in connection with such activities and in violation of State Department travel regulations, for the following legislative purposes:

"1. To provide factual information to aid Congress in the disposition of presently pending legislation (including, but not limited to Sections 709 and 712 of H.R. 958), or in the proposal of remedial legislation, in fulfillment of the directions contained in the mandate to the Committee by House Resolution 5 of January 9, 1963, and Public Law 601 of the 79th Congress.

"2. The execution, by the administrative agencies concerned, of the Foreign Agents Registration Act of 1938, travel control laws (particularly Title 8 U.S.C. 1185), and regulations issued pursuant thereto, to assist the House in appraising the administration of such laws and regulations.

"3. Consideration of the advisability of amending Title 22 U.S.C. 611, by extending the definition of the terms 'foreign principal' and 'agent of a foreign principal' so as to remove any doubt as to the true test of the agency relationship or its application to activities within the intent of Congress as expressed in the Act.

"BE IT FURTHER RESOLVED, that the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate."

On December 16, 1950, over 12 years ago, the President of the United States proclaimed the existence of a national emergency (64 Stat. A454). Declaring that "recent events in Korea and elsewhere constitute a grave threat to the peace of the world," that "world conquest by Communist imperialism is the goal of the forces of aggression that have been loosed upon the world," and reminding the people of the United States that "if the goal of Communist imperialism were to be achieved, the people of this country would no longer enjoy the full, rich life they have with God's help built for themselves and their children," President Truman summoned "all citizens to make united effort for the security and well-being of our beloved country and to place its needs foremost in thought and action that the full moral and material strength of the Nation may be readied for the dangers which threaten us."

The President then declared:

"I summon all citizens to be loyal to the principles upon which our Nation is founded, to keep faith with our friends

and allies, and to be firm in our devotion to the peaceful purposes for which the United Nations was founded."

This proclamation has not been altered or repealed by succeeding Presidents. We need not be reminded that this emergency continues and the peril has grown in urgency.

Primarily because of U.S. military action—and at a cost of 150,000 U.S. casualties—the forces of world communism did not succeed in conquering South Korea. But by one means or another since that time, they have gained control of North Vietnam; have become a coequal element with neutralists and anti-Communists in the government of Laos; seized Tibet and, with genocidal intent, suppressed resistance to their totalitarian rule there; and have also invaded India and occupied part of its territory. Today, they are carrying on open warfare in South Vietnam to topple the government of that country and have launched a civil war in Laos. Communist influence in Africa and Latin America has been extended, and some 2 years ago a Communist regime was established not in some far-off continent but in Cuba, 90 miles from our shores.

Last Monday, Castro, the Cuban Communist dictator, was lavishly hailed and welcomed in Moscow and, in the words of Khrushchev, described as the "envoy" of the first Communist revolution on the American continent, a "beacon" to all Latin America. In response, Castro affectionately attributed to the Soviet Union the continuing success of his movement.

The Communist-led rebellion against the Batista government initially gained acceptance here disguised as a "liberal" revolution. Well-intentioned people, both here and in Cuba, were led to support it. Consequently, Castro successfully seized power in January 1959. The true character of this revolution quickly appeared in numerous acts of hostility committed against the United States and other non-Communist governments of Latin America. On January 3, 1961, the United States withdrew recognition of Castro's regime. Any doubt as to the course upon which Cuba was embarked was finally dispelled in December 1962 by Castro's frank admission of his allegiance to the Communist cause. He said, "I am a Marxist-Leninist and will be one until the day I die."

Under the protection and assistance of the Soviet Union, Castro's future was indefinitely secured. The efforts of the Communist Party of Cuba and its American comrades are synchronized through the Moscow leadership of the world Communist movement. To assist in maintaining this Latin American spearhead in the Western Hemisphere, the Communist Party, U.S.A., at its last national convention held in New York City in December 1959, adopted as a main political resolution its "Hands Off Cuba" policy and called for an end to all "interference" in the affairs of Latin American countries. In other words, the basic Communist propaganda and agitation effort, enjoined as a directive upon American Communists, was to assure the continued existence of a Communist Cuba.

It is now apparent that Cuba was established as an advance Communist base in this hemisphere, intended to supply the

inspiration, propaganda, training, communications, and technical assistance to revolutionary groups in the whole of Latin America and—more ominously—to provide an outpost for the Soviet Union, from which it may more conveniently and effectively direct its activities against the United States.

As pointed out by Central Intelligence Agency Director John McCone in his appearance before the House Committee on Foreign Affairs February 19th last:

"The Cuban effort at present is far more serious than the hastily organized and ill-conceived raids that the bearded veterans of the Sierra Maestra led into such Central American countries as Panama, Haiti, Nicaragua, and the Dominican Republic during the first eight or nine months Castro was in power.

"Today, the Cuban effort is far more sophisticated, more covert, and more deadly. In its professional tradecraft, it shows guidance and training by experienced Communist advisers from the Soviet bloc, including veteran Spanish Communists."

Mr. McCone further stated that approximately 1,500 persons went to Cuba during the year 1962 from other Latin American countries to receive ideological indoctrination and guerrilla warfare training. He pointed out that some courses offered last as long as a year and include intensive training in sabotage, espionage, and psychological warfare and that these "visitors" to Cuba serve also as couriers for Soviet communications and the financing of the Communist effort in various countries.

This liaison with Cuba, however, is not merely conducted by Communist Party members and others of the Latin American countries. Despite the presently existing ban on travel to Cuba, despite the proclamation of national emergency summoning all citizens of the United States to be loyal to the principles upon which our Nation is founded, a substantial number of U.S. citizens continue to conduct a liaison with Cuba on behalf of promoting the Communist Cuban regime.

To control this traffic between the United States and Cuba, the Department of State announced on January 16, 1961, a modification of the travel control regulations, prohibiting travel to Cuba by any citizen of the United States, or any person owing allegiance to the United States, unless he bears a passport validated by the Secretary of State for travel to Cuba (22 CFR Pt. 53.3, as amended). These regulations are based upon the security provisions of the Immigration and Nationality Act of 1952, regulating travel of citizens and aliens during war or national emergency, and empowering the President to impose restrictions and prohibitions, in addition to those provided by the applicable section of the Act (8 U.S.C. 1185).

The regulations now proclaimed by the President require no passport for travel in the areas of North, Central, or South America, with the exception of Cuba. However, although travel to North, Central, or South America (excluding Cuba)

generally requires no passport, this does *not* apply to U.S. citizens who travel to Cuba via countries of this hemisphere or any country for which a passport is required.

It is interesting to note that the Special Consultative Committee on Security of the Organization of American States, on February 20, 1963, offered an advisory document recommending to member states a general prohibition of travel to Cuba except for those who have valid reasons, such as those of a humanitarian nature, and to require a travel document for every person who crosses an international border.

Despite the general ban on travel to Cuba unless a validated passport is obtained for such travel, Chairman Walter recently pointed out in a committee press release that the committee's investigation has determined that some 100 American citizens have traveled to Cuba in violation of these regulations. Committee investigations initiated in July of 1962 disclose that travel to Cuba and other Communist countries by United States citizens, both authorized and unauthorized, appeared to create a serious security problem, suggesting deficiencies in the law or its administration, in relation to travel control laws and regulations, and also with regard to the Foreign Agents Registration Act of 1938. Propaganda and other assistance was clearly being rendered to the Communist cause in Cuba and throughout Latin America by United States citizens.

On January 9, 1963, the chairman of this committee introduced H.R. 958, which was referred to the Committee on Un-American Activities. Sections 709 and 712 of H.R. 958, dealing with passport security and travel control and restrictions on the issuance and use of passports, are directed particularly toward the travel of persons associated with subversive organizations and with subversive objectives or aims. This problem has for some time occupied the attention of this committee, and hearings from time to time have been conducted in relation to it in an attempt to provide factual information as a basis for solution to these grave problems.

Other bills have been introduced in the House in an effort to resolve these difficulties, including H.R. 5320 introduced by Mr. Cramer and H.R. 5683 introduced by Mr. Walter, which are broader in application and have been referred to the Committee on the Judiciary. Pursuant to its mandate of Congress to conduct investigations that will aid the Congress in disposition of necessary remedial legislation, it is believed that the present investigation of the Committee on Un-American Activities, relating to Communist propaganda activities, will be helpful in the disposition of these bills. Moreover, hearings fixed by the present resolution of the committee will also assist the Congress in obtaining additional information with respect to other bills referred to the committee, including but not limited to, H.R. 475, a proposed amendment to the Internal Security Act of 1950, which provides penalties for becoming or remaining a member of Communist-action organizations.

TESTIMONY OF FRED JEROME

The first witness before the subcommittee on May 6 was Fred Jerome, 24, an unemployed writer of New York City and the son of V. J. Jerome, a long-time Communist Party official. Fred Jerome testified that he had made trips to Cuba in February, October, and December of 1960. He was in Cuba when the United States severed diplomatic relations with that country on January 3, 1961, and, according to his testimony, remained in Cuba until approximately April 11, 1961.

Mr. Jerome said he had not been aware that after January 16, 1961, the State Department required a passport or entrance permit for persons returning to the United States from Cuba. He testified that after the severance of diplomatic relations he did not register with the Swiss Embassy, which has served U.S. interests in Cuba since that time. Neither, he said, did he make application at the Swiss Embassy in Havana for a passport or entrance permit before returning to the United States in April 1961.

With regard to his most recent trip to Cuba in December 1960, Mr. Jerome testified that he had not made the journey on the advice or at the request of any Communist functionary. He told the subcommittee he had paid his own fare and made his own travel arrangements for the trip.

Mr. Jerome refused, however, on various grounds, including the fifth amendment, to say whether he was on the payroll of the Communist Party at the time he went to Cuba in December 1960 and whether he had received any information, matter, or thing in Cuba which he was requested to impart or deliver in the U.S. to persons known to him to be members of the Communist Party.

The witness denied that he had visited Cuba for the purpose of acquiring information or material with which to serve more effectively in the United States as a propagandist for the Communist regime of Fidel Castro. He declined, however, to state the reason why he had visited Cuba.

In response to a question by the committee counsel, Mr. Jerome said he had not registered, or made application for registration, with the Attorney General under the Foreign Agents Registration Act of 1938.

The witness refused, on his previously stated grounds, to say whether at the age of 14 he had been a member of the Labor Youth League which, on February 15, 1955, the Subversive Activities Control Board had found to be a Communist-front organization. He also refused to acknowledge that, for a period of time prior to 1958, he had contributed articles on youth activities to the Communist *Daily Worker* newspaper and declined to say if he had been under the discipline of the Communist Party at the time.

On his previously stated grounds, Mr. Jerome declined to say whether he had attended the Communist-controlled Fifth World Youth Festival at Warsaw, Poland, July 31 to August 14, 1955. He admitted he had been issued a U.S. passport on June 13, 1955, and that on the application for the passport he had listed only England and France as countries he intended to visit and had stated his travel was for sightseeing purposes. He acknowledged that the passport he received contained a prohibition against travel to Communist Poland.

36-584—64——4

He denied that the principal purpose for which he had applied for the passport was to attend the Fifth World Youth Festival. He invoked the fifth amendment and other reasons, however, in declining to say whether he had used an alias at that Youth Festival.

Mr. Jerome declined to affirm or deny committee information that in 1957, under the alias of "Walter Hirsch," he had served as the East Coast recruiting agent for the U.S. Youth Festival Committee for the Sixth World Youth Festival held in Moscow from July 28 to August 11, 1957. He also refused, on the grounds of the fifth amendment and other reasons, to admit that in 1957, in the capacity of recruiter for the U.S. Youth Festival Committee, he had applied for a post office box under the name of "Walter Hirsch" and that the names of Fred Jerome and Jacob Rosen had been listed on the application for the box as references for "Walter Hirsch."

The witness declined to answer when asked if he knew Jacob Rosen; if he had attended City College of New York with Rosen; if he knew Jacob Rosen to be a Communist Party member; if he knew Rosen had been so identified before this committee on February 3, 1960; and if he knew Rosen had invoked the fifth amendment when asked by the committee on the same day whether he belonged to the Communist Party.

Mr. Jerome admitted that on January 23, 1957, he again had applied for a U.S. passport, but he refused to say if he had done so for the purpose of attending the Sixth World Youth Festival in Moscow. He admitted that the application in question was denied by the State Department.

He also refused, on his previously stated grounds, to say whether at the time of his testimony on May 6, 1963, he was a member of the Communist Party.

TESTIMONY OF ELIZABETH SUTHERLAND (MARTINEZ)

The second witness on May 6 was Elizabeth Sutherland Martinez, a senior editor for the Simon and Schuster publishing house in New York City, who used the name "Elizabeth Sutherland" for professional purposes. She is a native of Washington, D.C., and a 1946 graduate of Swarthmore College.

Miss Sutherland testified that in the spring or summer of 1961 she applied for a U.S. passport under the name of Elizabeth Sutherland Martinez, the name appearing on her birth certificate. She obtained a passport validated for one round trip to Cuba to begin August 10, 1961, and to end not later than September 10, 1961. She actually departed by air from Miami to Cuba about the middle of August 1961, she told the subcommittee.

Miss Sutherland testified that the purpose of the trip, as she had informed the State Department, was to obtain material to write an article on new Cuban films for the magazine *Film Quarterly*, sponsored by the University of California.

While in Cuba, Miss Sutherland said, she visited the Cuban Writers and Artists Congress, held in Havana August 18–23, 1961, as an unofficial observer "probably each of the days." She said she saw less than half a dozen other Americans in attendance at the congress. She "declined," without citing any legal reason for doing so, to identify the "few" Americans she said she had seen at the congress.

The witness was asked if while in Cuba she had seen a number of Americans whose names she was given by the committee counsel. She denied having seen some of them and claimed not to have known others. The only American she admitted having seen in Cuba was Leroy McLucas, a free-lance photographer who, according to the witness, "was there legally."

Miss Sutherland admitted that part of the expenses of her stay in Cuba had been absorbed by the Cuban Government. She said that when she attempted to pay for the meals and lodging she had received at Havana Libre Hotel, she was informed there would be no charge for them.

She denied having had prior knowledge that her meals and lodging would be free at the Havana Libre. She further denied her privileged treatment had led to an understanding that upon her return to the United States she would disseminate propaganda favorable to the Castro regime.

Miss Sutherland testified she had not registered with the Attorney General as a foreign agent as defined by the Foreign Agents Registration Act of 1938 because, she said, she was neither a foreign agent nor a lobbyist. Although uncertain of the exact date, she nevertheless acknowledged that sometime during the winter of 1961 she had delivered a report on "Cuba's Congress of Writers & Artists" at Adelphi Hall in New York City at a meeting and panel discussion sponsored by the Fair Play for Cuba Committee. The meeting was held, according to announcements, on December 4, 1961, nearly 3 months after her return to the United States. The event was advertised by the FPCC in the Communist *Worker* of November 28, 1961, and the pro-Communist *National Guardian* of December 4, 1961.

The witness admitted having spoken on the above occasion at the request of the chairman of the FPCC. She testified she had been a member of the Fair Play for Cuba Committee in 1961 and 1962 and severed relations with it only because she had neglected to pay her dues. Miss Sutherland acknowledged having made other speeches for the FPCC.

The subcommittee questioned Miss Sutherland at length about her association with photographer Leroy McLucas, the one American she admitted by name as having seen in Cuba during her visit there.

Miss Sutherland told the subcommittee that she had first met Mr. McLucas socially in about the middle of 1960. She later saw some of his photographs and was favorably impressed by them.

The witness said it had been her idea for Mr. McLucas to go to Cuba and make photographs for a pictorial book Miss Sutherland had in mind for possible publication. Mr. McLucas did not have a formal contract with Simon and Schuster for the photography project in Cuba, she testified; it had been an informal arrangement between Mr. McLucas and her, under which he was to pay his own expenses for the trip.

Committee counsel introduced evidence that on July 13, 1961, Mr. McLucas both filed for and received a U.S. passport from the New York Passport Office of the State Department. On his application for this passport, Mr. McLucas indicated that England was the only country he intended to visit and that he expected to depart from New York on his trip about July 20, 1961.

Miss Sutherland told the subcommittee she could not recall the precise date on which she learned that Mr. McLucas had received a passport. She denied, however, having known that he both applied for and received it on the same date and that he had stated on his application that England was his only destination.

Nevertheless, Miss Sutherland admitted that on July 14, 1961, on Simon and Schuster stationery, she had written a letter "To Whom It May Concern," in which she stated that Mr. McLucas had been given a photographic assignment in Cuba.

Further evidence introduced by the subcommittee showed that on the same date, July 14, 1961, Mr. McLucas enclosed the "To Whom It May Concern" letter written by Miss Sutherland with one he forwarded to the New York Passport Office of the State Department, in which he asked that his passport be validated for travel to Cuba on July 21, 1961. Miss Sutherland said she recalled that on July 21, 1961, the New York Passport Office rejected Mr. McLucas' request for permission to travel to Cuba, but on July 24, 1961, the State Department in Washington reversed the action of its New York office and validated Mr. McLucas' passport for visitation to Cuba until December 31, 1961. Miss Sutherland testified that her "To Whom It May Concern" letter had been responsible for the validation of Mr. McLucas's passport for travel to Cuba.

Information obtained by the committee indicated that although Mr. McLucas had initially asked permission to travel to Cuba on July 21, 1961, he did not actually arrive there until September 3, 1961. Miss Sutherland said she could provide no reason why Mr. McLucas had delayed his trip.

The photographer remained in Cuba beyond the December 31, 1961, expiration date of his State Department-approved visit. On January 4, 1962, he sent a letter from the Hotel Presidente in Havana to the State Department in Washington, requesting an extension of his stay in Cuba for 3 or 4 months to complete his photographic activities.

The committee learned further that approximately 1 month later, on February 5, 1962, Mr. McLucas formally applied for a validation extension through the Swiss Embassy in Cuba, which was handling U.S. affairs there. The Swiss official who received Mr. McLucas' application was concerned about the American's strong political convictions, which were not only favorable to the Castro Cuban Government but hostile to the United States, his own country.

The Swiss official was so disturbed by Mr. McLucas' unusual attitude that, instead of issuing a new passport, as he could have, he forwarded the application with a precautionary note about the applicant's views to the U.S. Department of State for final decision. Despite the Swiss Embassy's warning, the State Department approved Mr. McLucas' application for a new passport and so notified the Swiss Embassy in Cuba on February 23, 1962. On March 30, 1962, however, the Swiss Embassy informed Washington that McLucas had rejected the passport and indicated he no longer planned to return to the United States.

Nevertheless, Mr. McLucas did eventually return to the United States and, according to Miss Sutherland, about a year after he had gone to Cuba, brought photographs he had taken in Cuba to her New York office.

Miss Sutherland testified that in the fall or early winter of 1962 she had attended a public showing by Mr. McLucas of a movie film he had made in Cuba. The event took place in a building in New York City, Miss Sutherland said, but she could not recall its address. She also acknowledged having seen Mr. McLucas about 2 months prior to the date of her testimony before the subcommittee.

The Committee on Un-American Activities was unable to locate Mr. McLucas to subpena him for the May 6 and 7 hearings.

The witness was questioned about her associations with the now defunct Medical Aid to Cuba Committee, which had been the subject of hearings by the Committee on Un-American Activities in November 1962 and which committee counsel said the record showed to be Communist controlled.

Miss Sutherland acknowledged that, in an appeal for funds advertised in the *New York Times* of November 13, 1962, by the Medical Aid to Cuba Committee, her name had been identified as the person to whom checks should be made payable. She stated she had not received the checks herself, because they had been sent to the office address of MACC, where she went to endorse them.

She denied having participated in the formation of the MACC, but testified she had known Melitta del Villar, the founder, since the summer of 1962. Miss Sutherland acknowledged having been acquainted with Sidney J. Gluck and Dr. Louis Miller, MACC leaders with histories of Communist activities, but denied having had a close working relationship with them in that organization. She also denied having known about the Communist backgrounds of Mr. Gluck and Dr. Miller at the time she became a sponsor of the Medical Aid to Cuba Committee. She said she had become affiliated with the MACC after receiving a mimeographed invitation from the group to attend one of its functions and after meeting and being favorably impressed with its chairman, Mrs. del Villar.

In the course of her testimony, Miss Sutherland acknowledged that she had been a signer of an ad which appeared in the pro-Communist *National Guardian* on July 16, 1962, and which appealed to Great Britain to grant asylum to the late Dr. Robert A. Soblen, who had jumped bail and fled the United States after being convicted of spying against this country.

TESTIMONY OF CONRAD J. LYNN

The final witness heard by the subcommittee on May 6, 1963, was Conrad J. Lynn of Pomona, N.Y., an attorney with offices in New York City. Mr. Lynn is a member of the National Executive Committee of the Emergency Civil Liberties Committee and defense counsel for Robert F. Williams, an NAACP leader who fled to Cuba to avoid prosecution on kidnaping charges lodged against him in connection with a racial disturbance which occurred in Monroe, N.C., in August 1961.

Mr. Lynn acknowledged to the subcommittee that he had been a member of the Young Communist League from 1928 to 1931 and a member of the Communist Party from 1934 until expelled in February 1937.

He said he and his family visited Cuba in the summer of 1960, about 5 months before the breaking of U.S.-Cuban diplomatic relations.

About January 16, 1962, according to Mr. Lynn's testimony, he received U.S. passport validation for another trip to Cuba and, on February 2, 1962, flew to Cuba for the purpose of interviewing Robert F. Williams. The witness said he remained in Cuba until February 6 or 7, 1962, when he made a return flight to the United States by way of Newfoundland and Montreal, Canada.

In addition to Mr. Williams, Mr. Lynn recalled seeing only two Americans, Mrs. Azalena Johnson and Gerald Manuel Quinn, while in Cuba. He said the latter two had witnessed events in Monroe, N.C., which led to the kidnaping trial in which he was engaged. He said he did not know if Mr. Williams, Mrs. Johnson, and Mr. Quinn had possessed passports validated for travel to Cuba at the time or times of their arrival there.

In response to a question about what route Mr. Williams had taken to Cuba, Mr. Lynn replied, "Well, we reconstituted the underground railroad, and he got out through Canada." He said the "we" he referred to were friends of Robert Williams, none of whom was known to him (the witness) to be a member of the Communist Party.

The witness confirmed that, as advertised in the pro-Communist *National Guardian* of April 9, 1962, he had made an address on Cuba, under sponsorship of the West Side Committee for Friendly Relations With Cuba, at the Beacon Hotel in New York City on April 26, 1962.

Mr. Lynn acknowledged that earlier, on September 28, 1961, under sponsorship of the same group, he had appeared on a platform in New York with Mrs. del Villar and delivered a speech on the subject of Cuba. Reportedly, on this occasion, Mr. Lynn, in discussing the trip his family had made to Cuba in 1960, said that in Cuba for the first time he and his family knew what it meant to walk down the street "as a free man" and that, by keeping the light of the Cuban revolution aloft, the destiny of all the masses would be advanced. The witness acknowledged to the subcommittee that this could well have been a completely accurate report of what he said at that time.

The witness testified he had never registered or applied for registration with the Attorney General as a foreign agent under the Foreign Agents Registration Act of 1938.

The witness was asked if he had participated in recent years with a number of persons in activities described by the committee counsel as Communist. Mr. Lynn admitted his participation, but disagreed with the characterization of some of the people and activities as being Communist, despite their having been formally identified or officially designated as such.

May 7 Hearing

TESTIMONY OF LEO HUBERMAN

The first witness at the subcommittee's public hearings on May 7, 1963, was Leo Huberman, coeditor of the leftist *Monthly Review* magazine, which is described on its cover as "An Independent Socialist Magazine." Mr. Huberman said he had traveled to Cuba twice in 1960—before the U.S. broke diplomatic relations with Cuba and again on April 14, 1961, for about a 10-day stay, 4 months after the diplomatic break. On the occasion of the 1961 trip, he testified, his passport had been validated for travel to Cuba.

Mr. Huberman acknowledged that between 1960 and February 1963, *Monthly Review* had published numerous articles favorable to the Castro regime in Cuba, including a by-lined article of excerpts from a speech made by Fidel Castro. This article was printed as a result of a prior discussion by Mr. Huberman with the bearded dictator about the publication of such material. Another article in *Monthly Review* consisted of questions submitted by Mr. Huberman and answers to them supplied by Che Guevara, an international Communist functionary who occupies a high place in the Castro government.

The witness affirmed that the Monthly Review Press, of which he is co-owner, had published a pro-Castro book entitled *The Second Revolution in Cuba*, by Joseph Parker Morray, a correspondent for the *National Guardian* newspaper.

Mr. Huberman, who described himself as "a Marxist and a Socialist" at a committee hearing in 1962, admitted that on two of his three visits to Cuba since Castro's rise to power his hotel expenses and the cost of his travel throughout the island had been paid by the Cuban Government.

Mr. Huberman insisted, however, that he is not a propagandist for Cuba.

TESTIMONY OF EDWARD WALTER SHAW

The final witness at the subcommittee's public hearings on May 7 was Edward Walter Shaw, the Midwest representative of the notoriously pro-Castro Fair Play for Cuba Committee. Throughout his appearance, Mr. Shaw invoked numerous reasons, including the fifth amendment, for evading practically all questions put to him, except those involving basic information about his education and background. Nevertheless, committee information brought out at the hearing showed that on March 9, 1961, Mr. Shaw applied for a United States passport to visit several Latin American countries, specifically Venezuela and Chile. In his application, the witness stated that he expected to depart from Miami in June 1961 and remain abroad for 2 months. A passport, with no validation for travel to Cuba, was issued to Mr. Shaw on March 13, 1961.

On September 18, 1961, according to information acquired by the Committee on Un-American Activities, Mr. Shaw departed from Mexico City for Havana, Cuba. While in Cuba, he applied at the Mexican Embassy in Havana for a Mexican Tourist Card. Mexican Tourist Card No. 2798249 was issued to him on September 26, 1961; and on October 13, 1961, he used it to return to Mexico City from Cuba.

According to announcements in *The Worker* and *National Guardian*, Ed Shaw, with the use of color slides taken by him in Cuba, spoke on the subject of Cuba at meetings in Detroit on November 27, 1961; in Chicago on December 8, 1961; and in New York on January 15, 1962. In each instance, the event was sponsored by a group affiliated with the Fair Play for Cuba Committee.

Witness Shaw declined, for numerous reasons including the fifth amendment, to state whether he had ever belonged to the Communist Party of the United States or the Trotskyist Socialist Workers Party.

At the conclusion of the May 7 public hearings, the chairman suggested to the committee counsel that the case of Edward Shaw's travel

to Cuba, apparently without proper passport validation, be referred to the Department of Justice for possible prosecution under the Immigration and Nationality Act of 1952.

May 23 Hearing

TESTIMONY OF VINCENT THEODORE LEE

The first witness before the subcommittee on May 23, 1963, was Vincent Theodore Lee, national director of the Fair Play for Cuba Committee. A native of New York City, Mr. Lee testified that he had received an elementary school education in New York City and 2 years of vocational training in Florida, where he learned the woodworking trade. He invoked the fifth amendment on questions pertaining to nearly all other subjects, however, including both past and present employment.

Despite the lack of cooperation from the witness, the following facts about Mr. Lee, obtained through a preliminary investigation by the Committee on Un-American Activities, were entered into the record of the hearings by committee counsel:

On April 3, 1961, Vincent Lee completed a State Department passport application in which he stated his intention of touring Mexico, Guatemala, Honduras, and Nicaragua for a period of about 3 months beginning in June 1961, although no passport requirement existed for travel between the United States and the above-mentioned countries. On April 6, 1961, he received the requested passport from the State Department's Miami, Fla., office. (Mr. Lee declined to tell the subcommittee whether he had made the tour.)

On July 19, 1962, Lee wrote a letter to the State Department requesting that his passport be validated for a visit to Cuba between August 30 and November 30, 1962. In the letter, he indicated he would make the trip as a free-lance journalist for the North American Newspaper Alliance and as a radio reporter for Radio Station WBAI in New York City.

Enclosed with Mr. Lee's July 19, 1962, letter to the State Department was a letter from Richard M. Elman, public affairs director for Station WBAI, who supported Lee's request for permission to travel to Cuba. Mr. Elman wrote that Lee had volunteered to go to Cuba and obtain tape recorded interviews with Fidel Castro and Ernesto "Che" Guevara, in accordance with questions prepared in advance by the staff of Station WBAI.

Not enclosed with Lee's July 19, 1962, letter, however, was any supporting evidence that he had been given an assignment by the North American Newspaper Alliance. (On May 16, 1963, the editor of the North American Newspaper Alliance wrote the Committee on Un-American Activities that he had never previously heard of Mr. Lee or any arrangements between Lee and NANA.)

On July 26, 1962, the Department of State validated Lee's passport for travel to, and stay in, Cuba, not to extend beyond December 30, 1962.

Mr. Lee departed from New York on December 26, 1962, just 4 days before the validation expired, and traveled to Cuba where he stayed for almost a month, returning to the United States on January 22, 1963. (Mr. Lee declined to tell the subcommittee whether his hotel

accommodations had been provided free of charge by the Cuban Government, as had been done for other pro-Castro visitors in the past.)

Both before and after his trip to Cuba, Mr. Lee on numerous occasions lectured, exhibited color films, and disseminated pamphlets on the subject of Cuba under the auspices of the Fair Play for Cuba Committee. (Mr. Lee declined, under the fifth amendment, to tell the subcommittee whether, as national director of the Fair Play for Cuba Committee, he had received compensation directly or indirectly from the Castro regime.)

On April 6, 1963, Lee addressed a Los Angeles, Calif., meeting which had been arranged by the Greater Los Angeles Chapter of the Fair Play for Cuba Committee. Another speaker on the same program was Helen Travis, an identified member of the Communist Party, who told the audience that the Fair Play for Cuba Committee was working strongly to educate the American people about Cuba and the need to aid the Castro government. She has since been indicted on two counts for illegally traveling to Cuba.

Mr. Lee invoked the fifth amendment, as he had on almost all other questions, when asked if he had registered with the Justice Department as a foreign agent under the Foreign Agents Registration Act of 1938.

At the conclusion of the interrogation of Mr. Lee, Subcommittee Chairman Willis, after consulting the other members, requested the counsel for the subcommittee to send a copy of the transcript of Mr. Lee's testimony, along with exhibits pertaining to him, to the Department of Justice as a step toward possible prosecution.

TESTIMONY OF ANATOL ISAAC SCHLOSSER

The second witness on May 23 was Anatol Isaac Schlosser, 26, a graduate of New York University, from which he also received a master's degree in English literature and drama. Citing the fifth amendment and numerous other reasons, Mr. Schlosser refused to reveal his employment and declined to answer most of the questions asked him by the subcommittee.

A preliminary investigation by the Committee on Un-American Activities had disclosed that the witness obtained a U.S. passport in 1958 and, on June 8, 1962, applied for a renewal of the passport for the purpose, he stated, of visiting England, France, Holland, and Italy. The renewed passport, No. C–44149, was issued on June 11, 1962.

Mr. Schlosser declined to tell the subcommittee whether he had at any time asked the State Department for validation of his passport for travel to Cuba. He denied that he had visited Cuba subsequent to June 8, 1962, but refused, on the grounds previously stated, to say whether he had traveled elsewhere outside the United States after that date.

In November and December 1962, according to information acquired by the Committee on Un-American Activities, Anatol Schlosser was a frequent spokesman for the newly formed Ad Hoc Student Committee for Travel to Cuba. The apparent purpose of the group was the organizing of a trip to Cuba, without validated passports, by U.S. college students and other youths in violation of a State Department regulation prohibiting such travel. As the spokesman for the

prospective travelers, Mr. Schlosser reportedly said "the obstacles set in the way by the State Department constitute a further violation of the rights of all U.S. citizens" and that "students of the United States ought to go see with their own eyes how the Cuban people live and work." He implied that the U.S. newspapers had not reported the truth about the Cuban revolution.

Additional information acquired by the committee, and introduced into the record of the hearings, was a report attributed to Schlosser on December 12, 1962, that 80 or more students were planning to depart for Cuba by way of Montreal, Canada, later that month. Also introduced by committee counsel was a copy of a State Department press release of December 13, 1962, which warned U.S. students that willful violation of travel regulations pertaining to Cuba was punishable by fine and/or imprisonment. The subcommittee also produced evidence that Schlosser subsequently said publicly that he expected a number of youths and students to defy the State Department by making the planned, unauthorized trip.

On the basis of the fifth amendment, as well as the other reasons he had previously cited, Mr. Schlosser declined to answer any questions about the Ad Hoc Student Committee for Travel to Cuba or his activities and associations with it. He also declined to acknowledge that the planned trip to Cuba was canceled because, on December 22, 1962, the Canadian Government announced that it would not allow Canada to be used as a place of departure for U.S. students traveling illegally to Cuba.

The witness continued to invoke the fifth amendment when asked (1) if he had been correctly quoted by a January 1963 publication to the effect that the trip had not been canceled, only postponed until the summer of 1963, (2) if information acquired by the Committee on Un-American Activities that the Ad Hoc Student Committee for Travel to Cuba had been replaced by the Permanent Student Committee for Travel to Cuba was correct, and (3) if the witness' home also served as the location of the office of the successor organization.

Mr. Schlosser also declined to say whether he had been in touch with the Cuban mission at the United Nations or the Czechoslovakian Embassy, which has been handling Cuban affairs in this country since the United States severed relations with Cuba in 1961.

On September 27, 1963, Schlosser was indicted, with three other leaders of the Permanent Student Committee for Travel to Cuba—Levi Lee Laub, Phillip Abbott Luce, and Stefan Martinot, all witnesses before this committee in these hearings (see following pages)—on charges of conspiring illegally to organize and promote a trip to Cuba in violation of U.S. travel laws. Unlike the other three, Schlosser, who did not make the trip to Cuba with the group, was not indicted for illegal travel to Cuba.

TESTIMONY OF STEFAN MARTINOT

The final witness at the subcommittee's public hearings on May 23 was Stefan Martinot, 23, a 1962 graduate of Antioch College, Ohio, who had pursued postgraduate work at Columbia University until April 10, 1963. He said he was a machine operator in a shop located in New York City.

Mr. Martinot acknowledged he had obtained a U.S. passport in 1958, applied for its renewal on October 22, 1962, and received it the next day. He further confirmed that in the application for renewal of his passport he had indicated the intent to travel to France, although he had not subsequently made a trip to France. He admitted that at the time he applied for the renewal of his passport for travel to France, he also had in mind making a later application for validation of the renewed passport for travel to Cuba. The record shows that he asked for such validation on November 2, 1962, just a few days after receiving the new passport. The request was denied by the State Department on the ground Martinot had not indicated any emergency requirement to be in Cuba, and thus no exception to the limited-travel-to-Cuba policy could be made in his case.

The witness told the subcommittee he had been at the founding meeting of the Ad Hoc Student Committee for Travel to Cuba on October 14, 1962, and that it had remained as such until the end of December 1962, when its name was changed to the Permanent Student Committee for Travel to Cuba. Mr. Martinot refused, on numerous grounds, excluding the self-incrimination clause of the fifth amendment, to provide the address of the location of the late-December 1962 meeting at which the name change of the organization occurred. He said he would not testify about individuals other than himself or respond to questions about subjects the answers to which would reveal activities of persons other than himself.

The witness acknowledged he had been one of the organizers of an avowed Marxist-Leninist group called the Columbia [University] Progressive Labor Student Club on the campus of Columbia University in November 1962. He also admitted that the organization was affiliated with a group called Progressive Labor, which, according to information obtained by committee investigation, was formed in or about January 1962 by Milton Rosen and Mortimer Scheer, both of whom had been expelled from the Communist Party in the fall of 1961.

Mr. Martinot, while claiming not to have been a Communist Party member himself, refused to say if he had been brought into the Progressive Labor organization by a person known to him to be a member of the Communist Party.

Mr. Martinot admitted to the subcommittee that he had been a spokesman for the Ad Hoc Student Committee for Travel to Cuba and that, as such, in December 1962 he had continued to advocate unauthorized travel to Cuba by students, even after the State Department had warned against it and the Canadian Government had refused to permit U.S. students to travel to Cuba by way of Canada.

The witness testified that when he talked to students about the planned trip to Cuba he always pointed out that, although he and his committee felt the prohibition was unconstitutional, there was a State Department prohibition against such travel and those who went to Cuba would probably have to face the consequences of having broken a law. He said the 80-odd students who attempted to go to Cuba during the Christmas holidays in 1962 had been required to send a letter to the Ad Hoc Student Committee for Travel to Cuba, stating they knew about the ban on travel to Cuba without a validated passport, the State Department warning against making an unauthorized trip, and the possible consequences for doing so.

When asked additional questions about the previously mentioned Columbia Progressive Labor Student Club, Mr. Martinot said an application for a charter for the organization was filed in March 1963 and granted by Columbia University shortly thereafter. The stated purpose of the group at the time of the charter application, the witness said, was "to spread socialist ideas on the campus through leaflets and any other activities." He claimed that some of his publicly stated ideas about what the purposes of the organization should be were more radical than those of the organization itself. He admitted, for example, having said during the planning stages of the group in November 1962, "The aim would be for the working class, people who don't have a stake in ownership or management, to seize political control of the state."

Mr. Martinot told the subcommittee there were approximately 70 to 75 members of the Permanent Student Committee for Travel to Cuba and that they still planned to make the trip which had been postponed the previous December. He said concrete plans had not been made as of the time of his testimony. He refused, for his previously cited reasons, to say whether he had held preliminary discussions with Levi Lee Laub, Milton Rosen, or Mortimer Scheer in connection with rescheduling the student trip to Cuba. He said he had not held such discussions with Vincent Theodore Lee, national director of the Fair Play for Cuba Committee.

The witness said the money for defraying the cost of the operations of the Permanent Student Committee for Travel to Cuba and its predecessor group had been raised through a $10 deposit by each of the students who planned to go to Cuba. He said no money had come to the organization either from the Cuban Government or from the Fair Play for Cuba Committee.

He admitted, however, that prior to the scheduled Christmas 1962 trip to Cuba his group had received an invitation from the Cuban Federation of University Students to be the latter group's guests while in Cuba. Also, he said, the Cuban Federation of University Students had offered the use of a Cuban plane for transporting the U.S. students from Toronto, Canada, to Cuba and back again.

Mr. Martinot said he assumed the same offers would be made to the U.S. students by the Cuban student group when plans were completed for the second attempt at making an unauthorized trip to Cuba.

July 1 Hearing

The same subcommittee met in Los Angeles, Calif., on July 1, 1963, to continue for 2 days the series of public hearings begun in Washington, D.C., on May 6, 1963.

HELEN TRAVIS EXCUSED FROM SUBPENA

The first scheduled witness on July 1 was Mrs. Helen Travis. Before she was sworn, however, her attorney moved that the subpena served upon her by the committee on June 19 be withdrawn because on June 26, 1963, Mrs. Travis had been indicted by the U.S. District Court in Southern California on two counts of making trips to Cuba by way of Mexico without a proper passport, in violation of regula-

tions issued under the immigration laws (sec. 1185(b), Title 8, U.S. Code).

The subcommittee acted favorably on the motion, and Mrs. Travis was excused as a witness.

TESTIMONY OF ROSE SCHORR ROSENBERG

The first sworn witness before the subcommittee on July 1 was Mrs. Rose Schorr Rosenberg, an attorney with offices in Los Angeles.

On January 24, 1952, former Communist Party member A. Marburg Yerkes, in testimony before this committee, stated that he had known Mrs. Rosenberg, in the late forties, to be a member of the professional unit of the Communist Party in Los Angeles.

Mrs. Rosenberg cited the fifth amendment, among other reasons, in refusing to tell the subcommittee if Mr. Yerkes' testimony about her had been correct.

According to the committee's preliminary investigation, Mrs. Rosenberg, on January 28, 1960, applied for and obtained renewal of a U.S. passport which had been issued her many years earlier. In her application for renewal, she listed Denmark, Sweden, England, France, Italy, and Israel as countries she planned to visit over a period of approximately 2 years.

Mrs. Rosenberg refused on numerous grounds, including the fifth amendment, to say whether the renewed passport was still in her possession.

She refused on the same grounds to confirm or deny the committee's information that in April and May of 1962, in the company of another Los Angeles attorney, Jean Kidwell Pestana, she had visited Cuba without first obtaining special passport validation to do so, as had been required by the State Department since January 16, 1961. Mrs. Rosenberg likewise declined to confirm or deny that, as advertised in the *People's World* of June 2, 1962, and the *National Guardian* of June 4, 1962, she and Mrs. Pestana had shown slides and talked about their trip to Cuba at a meeting sponsored by the Los Angeles Committee for Medical Aid to Cuba on June 6, 1962. Mrs. Rosenberg declined to tell the subcommittee what disposition had been made of the reported $1 "donated" by each of the estimated 200 persons who attended the event.

Mrs. Rosenberg also invoked the fifth amendment and other reasons for refusing to say whether she had understood the Medical Aid to Cuba Committee to be a Communist created and controlled enterprise; whether she was a member of the Greater Los Angeles Chapter of the Fair Play for Cuba Committee; whether she held membership in the Women Strike for Peace and the National Lawyers Guild; whether she had been a member of the Communist Party and had, upon return to the U.S. from Cuba in 1962, engaged in pro-Cuban speaking activities while under the discipline of the Communist Party.

TESTIMONY OF ROBERT EUGENE RANDOLPH

The next witness was Robert Eugene Randolph, holder of a master's degree in economics from the University of California and a resident of Sacramento, Calif.

Mr. Randolph cited the fifth amendment and other reasons in declining to confirm or deny the committee's information that in the forties he had belonged to the American Youth for Democracy, successor organization to the Young Communist League, and in the fifties to the Labor Youth League, officially cited by Federal authorities as a Communist organization.

Mr. Randolph declined for the reasons cited above to answer nearly all questions put to him by the subcommittee.

Thus, he neither confirmed nor denied the committee's information that on January 6, 1961, he applied for and received a U.S. passport; that, in his application for the passport, he had informed the State Department he intended to take a pleasure trip to England, France, and Sweden; that he attended the Mexican Peace Conference in Mexico City from March 5 to March 8, 1961; that, without having obtained State Department validation of his passport for travel to Cuba, he and his wife, Valeda Bryant Randolph, departed from Mexico on March 13, 1961, for a visit to Cuba as guests of the Communist Cuban Government.

Citing the reasons previously stated, the witness continued to refuse to reply affirmatively or negatively when queried by the committee counsel about his activities after his return from Cuba in 1961. According to information uncovered by a preliminary investigation, Mr. Randolph delivered an "eyewitness" report on Cuba and Latin America at a meeting held in Oakland, Calif., on May 19, 1961, and told his audience that he had been in Cuba from March 13 until April 3 of that year. The chairman of the May 19 meeting was Paul Heide, identified as a member of the Communist Party in testimony given before this committee in 1953. Mr. Randolph also declined to tell the subcommittee whether he knew Mr. Heide to be a Communist Party member.

Mr. Randolph declined to state whether he and his wife had appeared at the Palo Alto Unitarian Church on May 28, 1961, and given a color-slide talk on Cuba, as announced in the *Palo Alto Times* of May 24, 1961; whether the Fair Play for Cuba Committee had made arrangements for this meeting and whether he belonged to the Bay Area Fair Play for Cuba Committee; whether, under his own by-line, he had written a pro-Castro article which appeared in the June 1961 issue of *The liberal democrat* magazine; whether he had received any compensation, directly or indirectly, from the Cuban Government with the understanding he would participate in activities supporting the Communist regime of Cuba; whether he had registered with the Attorney General under the Foreign Agents Registration Act; whether, in the summer of 1962, he had attended both the Communist-staged World Peace Congress in Moscow and the Communist-sponsored Eighth World Conference Against Atomic and Hydrogen Bombs and for Prevention of Nuclear War in Tokyo, Japan; and whether he had told the conference in Japan that he was opposed to the stationing of U.S. troops in any foreign country.

TESTIMONY OF VALEDA BRYANT RANDOLPH

The next witness on July 1 was Mr. Randolph's wife, Valeda Bryant Randolph.

Mrs. Randolph was asked questions similar to those put to her husband, and she proved to be equally uncooperative in her responses. She invoked the fifth amendment and other reasons for refusing to confirm or deny that she had been issued U.S. passport No. B–094577 on January 9, 1961, and, without passport validation for such travel, had gone to Cuba on March 13, 1961, as a guest of the Cuban Government. Mrs. Randolph declined to say if there had been any agreement between her and representatives of the Cuban Government to the effect that, in exchange for her privileged treatment in Cuba, she would return to the United States and engage in activities to influence the American public on matters of interest to the Communist regime in Cuba.

On the previously specified grounds, the witness refused to say if, upon her return to the U.S., she had delivered a series of talks on Cuba, including five in California within a 48-hour period in May 1961.

Mrs. Randolph also invoked the fifth amendment and other reasons for declining to respond when asked if she had received compensation from the Fair Play for Cuba Committee or any political party, group, or person associated with any foreign interest. She also declined to say whether she belonged to the Fair Play for Cuba Committee; whether she had been a member of the Communist Party on October 7, 1950, when she entertained at a rally for the California Labor School, a Federally cited Communist institution; and whether she was then, at the time of the hearing, a member of the Communist Party.

TESTIMONY OF GEORGE WAEGELL

George Waegell of Elk Grove, Calif., was also questioned by the subcommittee at its public session in Los Angeles on the morning of July 1, 1963. In 1951, Mr. Waegell was convicted and sentenced to prison for failure to comply with Selective Service regulations.

Mr. Waegell invoked a number of reasons, including the fifth amendment, for refusing to respond to questions pertaining to committee information that, without possession of a U.S. passport, he had entered Mexico in early March 1961; had applied at the Cuban consulate in Mexico for a visa to Cuba, which was issued after a 3-week delay; had entered Cuba, where he was jailed for a short period and then released; and had attended, as a U.S. delegate, a conference of the Communist-controlled International Union of Students (IUS) at Havana in late May and early June 1961. He also declined to tell the subcommittee whether he was present at those sessions of the conference when delegates, according to a dispatch by the Soviet news agency Tass, unanimously passed a resolution of support for a proposal to set up an international students brigade to fight any "aggression" against Cuba and when, according to Peking radio, they passed a resolution condemning U.S. "imperialism against Cuba." He further declined to say whether he would be willing to fight for Cuba.

The witness continued to invoke the fifth amendment, among other reasons, when asked if he had returned to the U.S. from Cuba in July 1961 and displayed colored slides and talked on the subject of Cuba early in 1962 in California at an affair sponsored by a student Fair Play for Cuba group.

TESTIMONY OF JOSEPH ABRAM SHAPIRO

Joseph Abram Shapiro of Fairfax, Calif., a University of California student, also appeared before the subcommittee on July 1.

According to the committee's investigation, Mr. Shapiro applied for a U.S. passport at San Francisco on March 28, 1961, for the alleged purpose of taking a 2-month trip to Mexico, Nicaragua, Panama, and other Latin and Central American countries, beginning about July 1, 1961. Passport No. B-065057, bearing no endorsement for travel to Cuba, was issued to Mr. Shapiro on March 29, 1961. On September 1, 1961, Mr. Shapiro flew from Mexico City to Cuba on Cubana airlines flight No. 465. He invoked the first and fifth amendments in refusing to confirm or deny the above information.

Mr. Shapiro also invoked the first and fifth amendments when asked if he had intended to visit Cuba at the time he applied for his passport and if, at the time of application, he had known that specific passport endorsement for travel to Cuba was required.

He also declined to confirm or deny committee information that he had attended the Communist-dominated Eighth World Youth Festival at Helsinki, Finland, in the summer of 1962.

TESTIMONY OF JON JOSEPH READ

The next witness was Jon Joseph Read, a graduate of the University of California. He had been subpenaed after the committee's investigation disclosed the following:

Jon Read was issued U.S. passport No. 681992 at San Francisco on December 12, 1957, for an alleged 1-year visit to Australia. This passport had not been renewed or endorsed specifically for travel to Cuba when, on May 14, 1962, Mr. Read departed from Mexico City on Cubana airlines flight 465 to Havana. He returned to Mexico City from Cuba via Cubana airlines flight 464 on June 18, 1962.

On August 22, 1962, Mr. Read applied for another U.S. passport declaring an intention of touring Western Europe. On August 23, 1962, he was issued passport No. C-607458, which was not endorsed for travel to Cuba.

The Worker of September 11, 1962, announced that on September 17, 1962, Jon Read, "just back from Havana," would speak at Adelphi Hall in New York City.

On April 15, 1963, Mr. Read was elected to the Executive Board of the Bay Area Fair Play for Cuba Committee. And, according to a flier distributed by the Militant Labor Forum of Oakland, Calif., an organization affiliated with the Trotskyist Socialist Workers Party, Read delivered a "Cuba-Eyewitness Report," including the showing of color slides, on "his visit—summer 1962" at a meeting sponsored by the forum on April 19, 1963.

Mr. Read invoked the first and fifth amendments in refusing to answer any subcommittee questions concerning the activities described in the preceding four paragraphs.

Citing the same reason, Read declined to answer when asked if he had actually intended to go to Cuba at the time he applied for a passport on August 22, 1962; if the "just back from Havana" reference to him in *The Worker* of September 11, 1962, had referred to his visit there in May and June 1962, or whether it referred to another trip

to Cuba subsequent to his receipt of a new passport on August 23, 1962; if arrangements for his speech at Adelphi Hall had been made by anyone known or believed by him to be a Communist Party member or by representatives of the Fair Play for Cuba Committee; and if the expenses for his May–June 1962 visit to Cuba had been assumed by persons other than himself.

Mrs. Irene Paull was the next witness called to testify. She informed the chairman that she had had to change counsel and had not had an opportunity to discuss her case with the new one. She requested that her appearance be postponed until the second day of the hearings. The chairman granted her request.

TESTIMONY OF KARL VLADIMER WEICHINGER

The next witness was Karl Vladimer Weichinger of Los Angeles. Mr. Weichinger, a preliminary investigation revealed, attended the University of Chicago for a 3-year period ending in January 1952. While there, he had been a member of the Communist Party. Later he became active in the Los Angeles area chapter of the previously mentioned Labor Youth League, until that organization folded in 1957. The witness cited the first and fifth amendments in refusing to answer questions by the subcommittee about the above information.

Mr. Weichinger also declined to confirm or deny the committee's information that, without a passport specifically endorsed for such travel, he had gone to Cuba with his wife in December 1961 and returned to the U.S. on January 22, 1962. He further declined to say if, at the time of his testimony before the subcommittee, he was a member of the Communist Party.

TESTIMONY OF JOVITA LOPEZ WEICHINGER

The last witness questioned by the subcommittee on July 1 was Mrs. Jovita Lopez Weichinger, wife of the preceding witness. She likewise invoked the first and fifth amendments rather than confirm or deny that, without a passport validated for travel to Cuba, she had in fact traveled to Cuba in December 1961. She also declined to say whether, at the time of her trip to Cuba, she was aware that such a trip, without specific passport validation for it, was contrary to the laws of the United States.

July 2 Hearing

Mrs. Jean Kidwell Pestana and Frank S. Pestana, respectively, were the first witnesses called when the subcommittee met at 9:30 a.m. on July 2, but failed to respond to their names. They later appeared.

TESTIMONY OF IRENE PAULL

Mrs. Irene Paull of San Francisco, a longtime writer for Communist publications, was called next by the subcommittee. According to information possessed by the committee, Mrs. Paull had been the organizer of the Young Communist League in Minnesota in the late thirties and chairman of the Communist Party in Duluth, Minn., in the forties.

Preliminary committee investigation also revealed that on October 27, 1960, Mrs. Paull applied for renewal of U.S. passport No. 1728249, which had been issued to her by the State Department in 1959. In the renewal application, she said she intended to travel to Italy, Egypt, Israel, France, and England, beginning the trip on approximately December 1, 1960.

On January 8, 1961, Mrs. Paull departed from New York City on a British Overseas Airways flight to Jamaica. She entered Cuba on January 18, 1961, and remained there until March 6 of that year.

Pro-Communist articles on Cuba appeared under Mrs. Paull's name in the Communist *People's World* of January 28 and February 25, 1961.

On April 23, 1961, according to an announcement which appeared in the *People's World* of the day before, she was one of three speakers "recently returned from Cuba" who addressed a meeting sponsored by the Unitarian Action for Social Justice in San Francisco. Also, the name "Irene Paull" appeared in the *Palo Alto Times* of April 25, 1961, as a signer of a petition to President Kennedy by the Student Ad Hoc Committee Against U.S. Intervention in Cuba and Palo Alto Fair Play for Cuba Committee, protesting U.S. policies toward Cuba.

Mrs. Paull cited the fifth amendment and numerous other reasons for refusing to affirm or deny the above facts as they were presented to her by the committee counsel.

She also declined to tell the subcommittee whether, prior to her entry into Cuba, she had known the United States had broken diplomatic relations with Cuba on January 3, 1961, and the State Department had adopted a regulation on January 16, 1961, requiring specific passport endorsement for travel by Americans to that country. She declined to affirm or deny that, as reported in the *People's World* of September 29, 1962, she had attended the World Conference Against Atomic and Hydrogen Bombs held in Tokyo, Japan, in August 1962.

Mrs. Paull refused for the same reasons to say whether, at the time of her testimony before the subcommittee on July 2, 1963, she was a member of the Communist Party.

At the conclusion of Mrs. Paull's testimony, the subcommittee again called Mr. and Mrs. Pestana. They claimed that their attorney was unable to appear at that time and that they were, therefore, not represented by counsel as they were entitled to be. The chairman excused them with instructions that they were to try to obtain counsel and return to the hearing with a report on their progress after the noon recess.

TESTIMONY OF JOHN ALLEN JOHNSON

The next witness was John Allen Johnson, also known as Allen Johnson, of San Anselmo, Calif. Mr. Johnson repeatedly invoked the first and fifth amendments, rather than affirm or contest the following information about him compiled by the Committee on Un-American Activities:

On April 17, 1951, Mr. Johnson made application at San Franciso, Calif., for a U.S. passport, supposedly for the purpose of making a 1-month tour of England and France. He revealed no plan to visit the U.S.S.R. Passport No. 27712 was issued to him the next day.

On June 5, 1952, according to an announcement in the *People's World* of June 4, 1952, Allen Johnson spoke at the previously mentioned California Labor School about his firsthand impressions of the Soviet Union, based on a visit he had made there the year before.

Also, in 1952, Mr. Johnson was expelled from the AFL Carpenters Union because of alleged membership in the Communist Party.

When Charles David Blodgett appeared before the Committee on Un-American Activities on December 3, 1953, he testified that he had been a member of the Communist Party in Alameda County, Calif., from 1946 until 1950. Mr. Blodgett said that during this period he had attended meetings of the political affairs committee of the Alameda County Communist Party which were also attended by Allen Johnson, then employed by the AFL Carpenters Union.

On November 14, 1960, Mr. Johnson applied for a U.S. passport at San Francisco, supposedly for a 1-year visit, beginning approximately February 1, 1961, to England, France, and Sweden. Passport No. 2426303 was issued to him on November 17, 1960. It was never validated for travel to Cuba.

Mr. Johnson and his wife, Margaret Frances, entered Mexico on February 18, 1961. With expenses paid by the Cuban Government, they departed by ship on April 7, 1961, for a trip to Havana. On April 28, 1961, Mr. and Mrs. Johnson established a residence at No. 41–15 Avenida la Buntillo, Havana, Cuba.

In the *People's World* of December 30, 1961, there appeared an item under the title of "A Letter From Havana—Invasion Threat Shadows a Banner Year." The letter was printed over the name of Allen Johnson. The *People's World* commented that Johnson at that time was working in Cuba and circulating a newsletter.

In addition to invoking the first and fifth amendments when questioned about the activities described above, Mr. Johnson declined for the same reasons to say if, at any time after January 16, 1961, he had sought passport validation for travel to Cuba; if he had remained in Cuba from April 1961 until the spring of 1963; how he had supported himself while in Cuba; whether he had received financial assistance from the Cuban Government while he was in Cuba; and whether he was, at the time of his testimony, or had been in the past, a member of the Communist Party.

TESTIMONY OF MARGARET F. JOHNSON

Mrs. Margaret Frances Johnson, wife of Allen Johnson, was the final witness before the subcommittee during the morning session on July 2, 1963.

According to the committee's information, Mrs. Johnson was a member of the Communist Party in the El Cerrito area of California as early as 1943. On October 29, 1950, the *Oakland Tribune* reported that Mrs. Johnson, who had been a schoolteacher for 3½ years, announced that she would neither sign a State-required loyalty oath nor resign from her teaching position. She reportedly said she hoped to challenge the constitutionality of the loyalty oath law in the courts.

In 1951, according to the March 23 issue of the *People's World* of that year, Mrs. Johnson was a candidate for director on the Oakland board of education.

On November 17, 1960, Mrs. Johnson received a passport as a result of an application filed 3 days earlier, similar to the one filed by her husband. In 1961, without having her passport validated for travel to Cuba, Mrs. Johnson accompanied her husband on a trip there, where she evidently remained until the spring of 1963.

Mrs. Johnson invoked the first and fifth amendments to all subcommittee queries about the above-described activities. She likewise declined to answer questions about past and present membership in the Communist Party.

When the subcommittee convened for the afternoon session on July 2, Mr. and Mrs. Pestana again claimed not to have been able to engage counsel. Chairman Willis informed them that their subpenas were being continued and instructed them to appear before the subcommittee in the Caucus Room of the Old House Office Building, Washington, D.C., at 10 a.m. on July 10, 1963.

TESTIMONY OF HARRIETT BUHAI

The subcommittee's final witness on July 2 was Miss Harriett Buhai, a Los Angeles attorney.

On January 14, 1960, Miss Buhai applied for a passport at the Los Angeles Passport Agency of the State Department, indicating a plan to take a pleasure trip to Denmark, Switzerland, France, England, and Italy for a period of 3 or 4 months, with a tentative departure date of February 15, 1960. Passport No. 1845770 was issued to Miss Buhai on January 15, 1960.

On December 26, 1962, she applied for renewal of the passpost for a combination business and pleasure trip to Brazil and other countries, beginning approximately January 7, 1963.

According to information obtained on a preliminary committee investigation, Miss Buhai traveled from Mexico to Cuba on or about August 31, 1962, in the company of Helen Travis, Nestor Otto Bravo, and Eustasia Sokolowski Madrigal. Miss Buhai's passport had not been validated for travel to Cuba.

On October 26, 1957, the *People's World* reported that Miss Buhai had stated before the State Bar Examiners of California in 1955 that she had been a member of the Communist Party 11 years earlier, but had resigned.

The January 9, 1960, *People's World* published an account of an election held by the Hollywood-Beverly Hills Chapter of the National Lawyers Guild at which Miss Buhai was elected to the chapter's executive board. Of the 15 persons named as having been elected to chapter offices in that account, 7 have been identified as members of the Communist Party in testimony before this committee.

Miss Buhai invoked the fifth amendment and other reasons for refusing to answer subcommittee questions about the above matters. She also declined to affirm or deny whether she had organized the Los Angeles chapter of the Medical Aid to Cuba Committee, of which Helen Travis became secretary. Miss Buhai continued her declinations when asked if she knew Miss Travis to be, or to have been, a Communist Party member; if she had organized the Los Angeles Medical Aid to Cuba group as a result of instructions from Dr. Louis Miller, medical director for the national MACC; whether she knew Dr. Miller, who, according to testimony before this committee in 1951,

had attended enlarged meetings of the National Committee of the Communist Party in the 1940's; if funds had been raised and forwarded to the New York Medical Aid group by the Los Angeles group; if she and fellow attorney, Jean Kidwell Pestana, as reported by the *Daily News* of Whittier, Calif., on June 21, 1963, had shown slides and lectured on the subject of Cuba at a meeting sponsored by the Women Strike for Peace at the Unitarian Center in Whittier; and if she, at the time of her testimony or in the past, had been a member of the Communist Party.

August 5 Hearing

Mr. and Mrs. Frank Pestana testified at public hearings held by the subcommittee in Washington, D.C., on August 5, 1963, after having been granted two continuances by the committee on their claim of unavailability of counsel and a heavy calendar of legal work to which they were committed during the month of July. These continuances were in addition to those granted in Los Angeles.[3] Joseph North, a correspondent for *The Worker* and other Communist publications, also testified on the same day.

TESTIMONY OF JEAN K. PESTANA

Mrs. Jean Kidwell Pestana, who in 1952 had been identified in testimony before this committee as having been a member of a lawyers' group within the Communist Party in the late forties, was the first witness. She repeatedly invoked the fifth amendment and other reasons for refusing to answer questions concerning the following information obtained by the committee through a preliminary investigation:

On January 15, 1960, Mrs. Pestana applied for a U.S. passport at Los Angeles, stating her intention of taking a 3- or 4-month pleasure trip to Sweden, Norway, England, Denmark, France, and Italy. She was issued passport No. 1899805 on January 28, 1960.

Without having had that passport validated for travel to Cuba by the State Department, Mrs. Pestana, in the company of Mrs. Rose Rosenberg, flew via Cubana airlines from Mexico to Cuba in early April 1962. She returned to the United States the following month.

According to announcements in the *People's World* of June 2, 1962, and the *National Guardian* of June 4, 1962, Mrs. Pestana and Mrs. Rosenberg gave a report on their 1-month visit to Cuba at a meeting of the Los Angeles Committee for Medical Aid to Cuba on June 6, 1962.

On March 10, 1963, Mrs. Pestana and her husband appeared at the Long Beach Unitarian Church and showed slides purporting to demonstrate conditions in Cuba prior to and after Castro's coming to power. At this meeting (although she declined to expound upon it for the subcommittee) Mrs. Pestana allegedly said: "I have been in many socialist countries, but the fastest progress has been in Cuba." Also, in answer to a question from the audience, she admitted having been in Cuba in May 1962 as a guest of the Cuban Government.

A flier circulated in Los Angeles in the spring of 1963 advertised a special event, "Be An Eye Witness in Cuba," scheduled for April 21,

[3] See pp. 52, 54.

1963, at the First Unitarian Church. According to the flier, Frank Pestana and Jean Kidwell (her maiden and professional name) Pestana were to present "Cuba Today in Pictures" at the church's College Center for an audience of college-age persons only.

On June 21, 1963, as reported in the next day's *Daily News* of Whittier, Calif., Mrs Pestana lectured on Cuba during an appearance with Miss Harriett Buhai, who operated a slide projector, before a Women Strike for Peace meeting in Whittier. On that occasion, Mrs. Pestana said that during her tour of Cuba in 1962 she had been accompanied by a friend and an official Cuban interpreter. She declined to tell the subcommittee whether that friend had been Rose Rosenberg and whether she knew either Mrs. Rosenberg or Miss Buhai to be a member of the Communist Party.

Mrs. Pestana told the subcommittee she had not received compensation in any manner from the Cuban Government. Yet she invoked the fifth amendment, among other reasons, for declining to answer when asked if she had understood, while receiving benefits as the guest of the Cuban Government during her visit to Cuba, that she was to lecture favorably about the Castro regime upon her return to the United States.

She admitted she had not registered with the Department of Justice as a foreign agent, and denied being one. She denied participating in pro-Castro activities while under the discipline of the Communist Party with a view toward carrying out party objectives.

She invoked the fifth amendment and other reasons for refusing to say whether she was presently a member of the Communist Party.

TESTIMONY OF FRANK S. PESTANA

Frank S. Pestana, husband of the previous witness and also an attorney with offices in Los Angeles, was next to testify before the subcommitee on August 5. A native of Portugal, Mr. Pestana became a naturalized U.S. citizen in 1937. At hearings conducted by the Committee on Un-American Activities in 1952, three witnesses identified him as a member of a lawyers' cell within the Communist Party.

Mr. Pestana invoked the fifth amendment and other reasons for refusing to say before the subcommittee on August 5 whether he had been a Communist Party member, as so identified in 1952, and if he had continued to be a member of the party since that time.

Committee investigation conducted prior to Mr. Pestana's being subpenaed to testify in these hearings revealed that on April 20, 1959, he applied for renewal of a U.S. passport issued him in 1956. In his application for renewal, he said he intended to travel to Portugal, Spain, and Italy over a period of about 3 weeks for the purposes of business and visiting relatives. He listed April 27, 1959, as the approximate date of departure. On April 24, 1959, he received renewal of passport No. 134222.

Mr. Pestana invoked the fifth amendment and other reasons in declining to tell the subcommittee if he had actually departed on a trip to Portugal, Spain, or Italy on or about April 27, 1959. He continued to decline to answer when asked questions about the following information developed by the committee's investigation:

Mr. Pestana served as an American delegate at the 10th anniversary session of the Soviet-staged World Peace Council held in Stock-

holm, Sweden, on May 8–13, 1959. On December 20, 1959, at the First Unitarian Church of Los Angeles, he was given a reception by the Reverend and Mrs. Stephen H. Fritchman, who had been fellow delegates to the World Peace Council meeting in Stockholm. According to the church's newsletter announcement of the reception, Mr. Pestana lectured and showed slides on the subject of China.

On May 4, 1961, according to a preceding flier announcement, Mr. Pestana presented an illustrated talk, entitled "Six Weeks in Communist China," at a meeting sponsored by the Santa Barbara [Calif.] Friends of KPFK. The flier contained the additional information that he had traveled 10,000 miles over the Chinese mainland as the guest of a Chinese classmate at the University of California.

Mr. Pestana invoked his previous reasons in declining to tell the subcommittee if, when he applied for renewal of his passport in April 1959 for an alleged trip to Italy, Spain, and Portugal, he had actually intended to travel to the World Peace Council session at Stockholm and then to visit Red China.

He declined to say whether, as announced in a flier circulated in Los Angeles in the spring of 1963, he had participated in a "Be an Eye Witness in Cuba" program at the First Unitarian Church on April 21, 1963. He declined also to say if the flier had been correct in stating that he had taken an extensive tour of Cuba in May 1962.

Neither would the witness confirm or deny the subcommittee's information that he had addressed a meeting at the Long Beach Unitarian Church on March 10, 1963, at which time he stated (1) he had gone to Cuba in 1961 with 40 other couples and (2) he had been in Communist China recently. He cited his previous reasons for refusing to say whether he at any time had possessed a passport validated for travel to Red China; whether he had received any direct or indirect compensation from the Cuban or Chinese Governments for his lecturing activities; and whether, in his talks on Communist Cuba and Red China, his purpose had been to influence the U.S. public with respect to the policies of the governments of those foreign countries.

TESTIMONY OF JOSEPH NORTH

The final witness at the subcommittee's hearings on August 5 was Joseph North, a correspondent for *The Worker* and a writer for many other Communist publications in this country for more than a quarter of a century. He has been identified as a member of the Communist Party on a number of occasions by witnesses before the Committee on Un-American Activities.

On January 27, 1960, Mr. North filed an application for a U.S. passport, stating his intention to visit Britain, Italy, Czechoslovakia, Soviet Russia, and France over a period of about 3 months, beginning approximately March 1960. Passport No. 1871124 was issued on February 1, 1960.

Mr. North subsequently traveled to France, Italy, the Soviet Union, and Czechoslovakia, returning to the U.S. with his passport apparently in good order on September 15, 1960.

On December 16, 1960, according to an entry made on his passport by Cuban authorities, he arrived in Cuba.

The witness invoked the fifth amendment and other reasons in refusing to tell the subcommittee if he had known that on January 16, 1961, the State Department issued a regulation banning travel to Cuba unless the traveler was in possession of a passport specifically endorsed by the Department for such a trip.

During the months of January, March, April, May, and August, 1961, *The Worker* published articles by-lined by Mr. North and datelined Havana.

An exit visa on his passport showed that Mr. North departed from Cuba on August 12, 1961, although he declined to tell the subcommittee whether he had returned to the U.S. or traveled elsewhere at that time. In any event, *The Worker* of August 27, 1961, carried another article from Cuba by Mr. North, indicating that he had returned to Cuba by that date. Additional North articles datelined Havana appeared in *The Worker* in the months of September, November, and December, 1961, and in every month of 1962 except March and July.

North's passport contained an entry of his arrival in Czechoslovakia on December 14, 1962, and an entry of departure from that Iron Curtain country on January 31, 1963, the same date on which his arrival in the U.S. was noted.

Upon arrival from Czechoslovakia at the New York International Airport, his passport was lifted by representatives of the U.S. Immigration and Naturalization Service. This resulted from a request for such action, at the first opportunity, made by the State Department's Passport Office in Washington on May 4, 1962, based on information that Mr. North had traveled to and from Cuba since January 16, 1961, without proper passport validation to do so.

Mr. North invoked the fifth amendment and his other previously cited reasons for refusing to tell the subcommittee whether, at any time after the significant date of January 16, 1961, he had applied for or received passport validation for travel to Cuba; if at any time during 1961 or 1962 he had delivered any message or communication from anyone in the United States known to him to be a Communist to persons in Cuba associated with the Castro government; and if he had delivered any message or communication from any person in Cuba known to him to be a Communist to anyone in the United States known to him to be a Communist.

At the conclusion of the August 5 hearings, Chairman Willis instructed the committee staff to forward a record of the day's proceedings to the Department of Justice for possible prosecution of the three witnesses for violation of passport requirements relating to travel to Cuba.

September 12 Hearing

The committee's hearings on violations of State Department regulations banning travel to Cuba without specially validated passports were continued in Washington, D.C., on September 12 and 13, 1963. On these dates the subcommittee heard 6 of the 58 U.S. students and youths who spent nearly 2 months in Cuba during the summer of 1963 despite specific and repeated State Department warnings that their unauthorized trip could result in fines and imprisonment.

TESTIMONY OF BARRY HOFFMAN

The first witness was Barry Hoffman, a 26-year-old realtor of Brookline, Mass. Hoffman testified he had made the trip as an observer of the student group only after informing both the Federal Bureau of Investigation and the Central Intelligence Agency of the purpose of his participation.

Following is a summary of Mr. Hoffman's testimony:

In December 1962 Hoffman read articles in several Boston newspapers about a group of so-called U.S. students who planned to travel to Cuba. He telephoned Anatol Schlosser in New York City and expressed an interest in the trip. Schlosser had been described by the newspapers as a spokesman for the student group's organizing committee.

Hoffman received a letter, dated December 14, 1962, from Schlosser, who said he had just been notified by the State Department that willful violation of the travel ban was punishable by a $5,000 fine and/or imprisonment of not more than 5 years. Schlosser added, however, that this was not going to deter the group from making the trip and he hoped Hoffman would join them.

After receiving Schlosser's letter, Hoffman contacted representatives of the FBI and the CIA and notified them of the purpose of his association with the student group. He also offered to cooperate in any way he could with these agencies.

The trip to Cuba, scheduled for December 1962, was postponed when the Canadian Government refused to allow the U.S. "students" to carry out their plan to be picked up in Canada by a Cuban airplane.

Hoffman exchanged several more telephone calls with Schlosser before receiving a letter from him dated May 15, 1963, in which it was stated the trip had been rescheduled for July. An application blank and a memorandum explaining possible legal difficulties which might result for those making the trip were enclosed with the letter. The letter also informed Hoffman that a representative of the Permanent Student Committee for Travel to Cuba (the organizational name of the group) would be in Boston soon.

Hoffman returned his completed application to the student committee along with the requested $10 deposit.

In a letter dated June 15, 1963, Levi Laub of the Permanent Student Committee for Travel to Cuba notified Hoffman that arrangements for the latter's taking part in the trip had been made. Laub said Hoffman should be in New York City by "the 24th" and asked that he get in touch with the PSCTC immediately at telephone number GR 7–8396, New York City.

Hoffman was away from home at the time Laub's letter arrived and did not see it until some days later. He had not replied to it when, on the morning of June 24, he received a telephone call from Laub, who said Hoffman would have to be in New York that afternoon if he were going on the trip to Cuba.

Hoffman flew to New York on the afternoon of June 24 and telephoned the PSCTC office. He was instructed to go to the apartment of Miss Ellen Shallit. There he was introduced to Salvatore Cucchiari, who, he was told, would be his group leader during the trip. At this time, Hoffman also paid the $90 balance due on the total $100 cost

of his participation in the trip. He subsequently learned that some of those who went to Cuba did not pay anything.

The next morning, as instructed, Hoffman returned to Miss Shallit's apartment, where he was informed by Cucchiari the trip would begin that afternoon. Hoffman was also told, along with others who met at Miss Shallit's apartment on June 25, to proceed to the East Side Terminal in New York City to receive flight tickets and further information. Younger persons were advised to dress in older style clothes so that they would not look like students when they arrived at the airport. The people who met at Miss Shallit's apartment were instructed to leave the building in small groups so as not to attract undue attention.

At the East Side Terminal, Hoffman was surprised to receive flight tickets to London and Paris. He had assumed that the trip would somehow be made to Cuba through Canada.

Hoffman and the "students" he joined at the airport departed for London on a BOAC plane.

When Hoffman left New York, he and all of the others in his group possessed U.S. passports, as far as he knew, but none of them was validated for travel to Cuba. At London the plane was met by an American official, who warned the passengers of possible prosecution for traveling to Cuba without proper authorization.

In Paris, Hoffman's group was joined by another group which had flown there from New York on a KLM plane by way of Amsterdam.

Although the so-called students were split into three separate groups and stayed overnight in three different hotels in Paris, they had dinner together. They were informed at this time by Levi Laub that they would go to Czechoslovakia, which they did the day after their arrival in Paris.

Upon arrival at Prague on a Czech plane, the American passengers were once again greeted by an American official, who repeated the warning issued at the London stop. On this occasion, many of the students rudely walked away from the official while he was addressing them.

Czech visas were given Hoffman and the other students at Prague, although Hoffman had not applied for one anywhere en route. Czech officials examined the passports of the U.S. students, but made no entries in them.

From Prague, the American travelers were taken on a 4-hour bus ride to Carlsbad, Czechoslovakia, where they stayed for 2 days at the Grand Hotel Moscow. Several group meetings were held, during which plans for the stay in Cuba were discussed. At one such meeting, the students were addressed and congratulated on having defied their Government by the Cuban Ambassador to Czechoslovakia.

While in Czechoslovakia, the students were instructed by Levi Laub not to show their passports to any Cuban official when they arrived in Cuba. Hoffman believed this instruction was given in the hope that if the passports were technically "not used" in Cuba, the students might be protected against charges of improper use of their passports.

In Czechoslovakia, the students were joined by Vickie Ortiz, who had apparently arrived in Prague ahead of the main group. Miss Ortiz possessed both a U.S. and Mexican passport. It was agreed, therefore, that she would be the first to leave the plane at stopovers

during the balance of the trip to Cuba. If any authorities lifted either of her passports, she would still have another one and, meanwhile, the other students would have been alerted to try to protect their passports.

Before the students departed from Czechoslovakia, they were issued "slip visas" (pieces of paper with entry visas stamped on them) by the Cuban consulate in Prague for their entry into Cuba. Again, no entry was made in their passports.

From Czechoslovakia the Americans were flown on a Cuban airplane to Ireland, Newfoundland, and thence to Havana, Cuba, where they arrived on June 30. There each student surrendered his "slip visa" and filled out a "landing card," requesting such general information as name, address, occupation, and passport number. The students supplied their passport numbers, as requested, but were careful not to show their passports to Cuban officials.

They were interviewed and photographed by a large contingent of the Cuban press at the Havana airport. Then they were quartered at the Hotel Riviera in the Cuban capital.

Their first evening in Cuba, the students were greeted by representatives of the Cuban Institute for Friendship Among the Peoples, the group in charge of them throughout their stay. The next day they met members of the Cuban Federation of University Students, which was supposedly paying their expenses. Mr. Hoffman had serious doubts that the Cuban student organization was paying these expenses because of the high cost of the air travel alone. His guess was that the cost of the entire trip had to have been underwritten by the Cuban Government.

About the third day the Americans were in Cuba, Fidel Castro appeared at a resort hotel they were visiting. He played ping-pong with some of the students for nearly 3 hours. After the ping-pong games were over, the students gathered around Castro and began asking him questions about Cuba. He brushed them off by saying that he had to return to the affairs of State.

Also, early in the visit to Cuba, Castro went skin diving with Levi Laub and two other members of the American student group.

Day after day during their stay in Cuba, the students were taken on "organized" and "guided" tours from one end of the island to the other. They visited apartment projects, factories, schools, beaches, etc. The tours were not compulsory, however, and, as members of a very privileged group, those students who wished to remain behind and roam around Havana were free to do so.

Although the students, through the guided tours, did travel extensively across Cuba, they still were able to see only what their hosts wanted them to see. Hoffman, for instance, repeatedly asked to be shown the La Cabana Prison in Havana and the Isle of Pines, where political prisoners are kept. Each time he requested permission to visit these places, his Cuban hosts would indicate that approval was forthcoming, but it never came.

One day Hoffman walked up to a prison in Havana and asked if he might talk to counterrevolutionaries detained there. He caused quite a bit of commotion among the guards, but could not gain entrance.

Hoffman asked to visit Soviet military bases. "Sure, sure," was the reply from Cuban officials, but that is where his request ended.

Hoffman observed many Russians in Cuba. Often they were seen riding in Soviet or Czech made military vehicles. They were similarly dressed, although never seen in military uniforms. There was no doubt in Hoffman's mind, however, about their being military personnel.

On one occasion, Hoffman saw a dozen uniformed Chinese military officers, but he did not see any Chinese being moved about in truck convoys.

Diplomats and other representatives of foreign Communist countries and interests in Cuba went all out to woo and indoctrinate the visiting U.S. students. In fact, the students received a far greater volume of Communist books, pamphlets, and other propaganda material than they could ever have hoped to bring home with them. They were told by Cuban officials just to put the material in boxes marked with their names and addresses and it would be sent to their homes.

The students were in contact with other Americans in Cuba. The group was addressed on a number of occasions by Robert Williams (a fugitive from a kidnaping charge which grew out of a racial incident in North Carolina several years ago).

The students met members of a group of Americans called the North American Friends of Cuba. Most of them worked for the Cuban Government. At least one of them also admitted being a member of the Cuban militia.

Despite the students' public declarations that the purpose of their trip was to see for themselves what was going on in Cuba, Levi Laub indicated otherwise when he addressed the group at one time in Cuba. Laub said that the real purpose of the trip was to "break" the travel ban.

Before the students wound up their visit in Cuba, a continuation committee was formed to plan future trips to that country. The day before the students left Cuba, a Cuban official told the continuation committee members that their trip to Cuba had been very important to Cuba and Cuban foreign policy. He expressed the opinion and the hope that, if the students succeeded in breaking the U.S. travel ban, it would be difficult for other countries to impose one against Cuba.

The same Cuban official encouraged the returning U.S. students to send other Americans to Cuba. Earlier, Fidel Castro had suggested to Levi Laub that if the U.S. Government attempted to prosecute the students when they returned home, additional students should be sent to Cuba while the first group was being prosecuted.

Also prior to their departure from Cuba, the students were briefed by their own leaders on how to deal with U.S. customs and immigration officers, the Federal Bureau of Investigation, and the Committee on Un-American Activities.

One of the leaders, Phillip Luce, an employee of the Emergency Civil Liberties Committee,[4] informed the students that upon returning home they could obtain legal advice from the ECLC, the American Civil Liberties Union, and the National Committee To Abolish the Un-American Activities Committee. Luce also said members of the ECLC would represent the students "without fee" if they were

[4] This organization was cited as a Communist front by both the House Committee on Un-American Activities and the Senate Internal Security Subcommittee in 1958 and 1956, respectively.

prosecuted, but that there would be expenses of about $6,000 that would have to be raised by defense committees organized to help the students.

Hoffman learned the Cuban Government had made a film of the students' visit to Cuba and that the film was going to be smuggled into the United States at a later date. In the United States the students were to combine showings of the film with lectures on Cuba to raise money for their defense.

The U.S. students departed by air from Cuba on August 26, 1963, for the return trip home by way of Madrid, Spain. When the plane made a refueling stop at Bermuda, however, Hoffman left the group and flew directly to New York at his own expense.

At the subcommittee's hearings on September 12, Hoffman was asked to identify those students who had traveled to Cuba and who were also members of the Progressive Labor Movement, an ultrarevolutionary Communist splinter group. At an earlier hearing the subcommittee had learned that members of Progressive Labor had played a leading role in organizing the unauthorized trip to Cuba. According to Hoffman, the known Progressive Labor members who made the trip were Levi Laub, Salvatore Cucchiari, Vickie Ortiz, Ellen Shallit, Rhoden Smith, Wendie Nakashima, John Salter, Larry Phelps, Stefan Martinot, Eleanor Goldstein, Catherine Prensky, and Mark Tishman. Tishman, according to Hoffman, said he joined the Progressive Labor Movement only to be able to make the trip to Cuba and that he subsequently resigned.

Asked by the subcommittee to name the leaders of the students with whom he traveled to Cuba, Hoffman named Levi Laub as the unquestioned head of the group, inasmuch as Anatol Schlosser had not made the trip. Hoffman said Laub informed the other students during the trip that he had been in Cuba the previous February or March making arrangements for their visit.

Hoffman said that another leader was Phillip Luce, who headed the students' press committee. While in Cuba, Luce kept in contact with Clark Foreman, the director of the Emergency Civil Liberties Committee, about reaction to the trip in the United States.

Other leaders in the group were Ellen Shallit, Salvatore Cucchiari, Stefan Martinot, Larry Phelps, and Wendie Nakashima.

Mr. Hoffman concluded that the trip of the U.S. students to Cuba, which received tremendous play in the Cuban press, had been a great propaganda victory for the Castro regime.

Hoffman also emphasized his conclusion that the persons with whom he had traveled to Cuba were not typical American students. Their ages ranged from 18 to 33, he told the subcommittee, and some of them were not students at all. Most of them had made up their minds favorably about Communist Cuba long before they arrived there, the witness said.

He described for the subcommittee an occasion in Cuba when a Communist group from Vietnam showed the U.S. "students" a film of military operations in that Asian country. When a scene appeared in which an American airplane was shot down, a great cheer went up from the "students."

Hoffman again emphasized that they were not typical American students.

TESTIMONY OF LEVI L. LAUB

The next witness heard in public session on September 12 was Levi Lee Laub of New York City. Laub was unemployed at the time of his testimony, he said, and still considered himself a college student, inasmuch as he planned to return to Columbia College to complete two examinations required for his bachelor of arts degree.

Committee counsel introduced a photostatic copy of a passport application which Laub had filed with the State Department's New York City office on January 29, 1963, in which he had stated that he intended to depart for a vacation in Mexico on February 1, 1963.

Laub testified he was issued a passport after filing this application, but invoked the fifth amendment when asked if he had truthfully reflected his travel plans in the application. He admitted, however, that he had not at any time after receiving the passport applied for specific endorsement of it for travel to Cuba. He declined on constitutional grounds to say whether in February and March 1963, or at any time after January 29, 1963, he had traveled to Cuba through Mexico.

The witness freely acknowledged he had arrived in Cuba with the group of U.S. students on June 30, 1963, and remained there until August 25. Asked, if on the occasion of this trip, his passport had contained a notation authorizing travel to Cuba in accordance with existing travel laws and regulations, Laub claimed no such laws or regulations existed. He claimed the requirement for specific passport endorsement for travel to Cuba was a matter of State Department policy, not a matter of law or regulation.

The chairman read to the witness the following portion of a State Department document published December 13, 1962, more than 6 months before the student group departed for Cuba:

> The Department warns all concerned that travel to Cuba by a U.S. citizen without a passport specifically validated by the Department of State for that purpose constitutes a violation of the Travel Control Law and Regulations. (Title 8 U.S. Code Sec. 1185: Title 22 Code of Federal Regulations, Sec. 53.3). A wilful violation of the law is punishable by fine and/or imprisonment.

Levi Laub admitted having been one of the leaders of the meeting in New York City on October 14, 1962, at which the Ad Hoc Student Committee for Travel to Cuba was organized. He invoked the fifth amendment and other reasons, however, for refusing to say whether he, Stefan Martinot, and Anatol Schlosser had been appointed by Milton Rosen and Mortimer Scheer, leaders of the Progressive Labor Movement, to form the Ad Hoc Student Committee for Travel to Cuba.

The witness also admitted having attended another meeting in New York in December 1962, when the Permanent Student Committee for Travel to Cuba was created.

Laub testified that, as a representative of the Permanent Committee, he had visited the University of California, San Francisco State College, Stanford University, the University of Chicago, the University of Wisconsin, the University of Michigan, Brooklyn College, City College of New York, and Columbia College to promote the trip to

Cuba and recruit students to take part in it. He said his travel expenses were paid from funds raised primarily at benefit parties held in New York City by the Permanent Committee. He said he knew of no financial contributions made to the Permanent Committee by any outside organization.

The witness, who willingly testified that the student trip had been made to Cuba, repeatedly invoked the fifth amendment and other reasons for refusing to answer questions about certain preparatory activities in which he had engaged. He accordingly declined to confirm or deny the committee's information that he had negotiated with both the British Overseas Airways Corporation and the KLM Royal Dutch Airlines for flying two groups of students from New York to Paris. Laub declined to discuss the committee's information that it was he who had reserved and picked up the tickets for the students from these two airlines. He also declined to explain why, as the committee's investigation revealed, he had given several different personal New York addresses during his dealings with BOAC and KLM.

The witness continued to invoke the fifth amendment and other reasons in refusing to say who made the payments for the BOAC and KLM tickets. Although the tickets were reserved and picked up in New York, the committee's investigation disclosed that the money for them was actually paid at the BOAC and KLM offices in Ottawa, Canada, by "Mr. J. Jacobs" and "Mr. Jacob," respectively. On June 10 and 11, 1963, the investigation revealed, Jacobs, or a person using that name, had made deposits totaling $22,739.20 in U.S. currency with BOAC's Ottawa office, and on the latter date the same individual had deposited $13,436.80 in U.S. currency with KLM's office in Ottawa.

Laub declined to tell the subcommittee if he knew Jacobs, if he knew Jacobs to be an American citizen, and if he knew why Jacobs had thus far failed to collect in excess of $6,700 in refunds from KLM and BOAC for deposits over and above the cost of the tickets actually used for the trip to Cuba.

The witness insisted that all of the expenses connected with the students' visit to Cuba were paid by the Cuban Federation of University Students, but he supplied no other details on the matter.

Laub admitted that during the latter part of the visit to Cuba there came a time when some of the group wished to remain longer and others did not. In this connection, he acknowledged he had urged the students to do together whatever they decided to do, so they would return to the United States as a group. In this way, he had contended, the group would have a greater impact upon the possible breaking of the State Department ban on travel to Cuba.

The witness testified that he was, and had been for 11 months, a member of the Progressive Labor Movement.

Laub reluctantly admitted that on April 28, 1961, he had demonstrated against, and refused to take part in, a civil defense shelter drill in New York City, which resulted in his being convicted and fined for violation of the New York civil defense law.

The witness was then excused, and the subcommittee recessed until the following morning.

September 13 Hearing

testimony of phillip a. luce

The first witness on September 13, 1963, was Phillip Abbott Luce. 26, holder of a master's degree in political science from Ohio State University and an associate editor of *Rights*, an organ published by the Emergency Civil Liberties Committee of New York City. Luce was one of the leaders of the group of U.S. "students" who made the unauthorized trip to Cuba during the summer of 1963.

In response to a series of questions about some of his activities prior to the formation of the American group which visited Cuba, Luce testified as follows:

As an employee of the ECLC, he had spoken to student groups on numerous college campuses.

He had written book reviews for the *National Guardian* newspaper and the Communist Party's magazine, *Mainstream*. He told the subcommittee he hadn't known the latter was a Communist Party publication.

He spoke at a community forum in New York at which Benjamin Davis was also a speaker, but claimed he didn't know Davis was the national secretary of the Communist Party.

The witness said he did not attend either of the meetings at which the Ad Hoc Committee and the Permanent Student Committee for Travel to Cuba were formed.

Luce testified that he did not know who "J. Jacobs" was. He said that prior to the subcommittee's hearings he had had no knowledge of any arrangement whereby the students' flight tickets had been purchased by a "J. Jacobs." Neither, he told the subcommittee, had he made any arrangements with Levi Laub by which Luce's name would be given the British Overseas Airways Corporation as a person who could be contacted about the trip to Cuba in Laub's absence.

The witness stated that he had not been instructed by the Emergency Civil Liberties Committee to assume a leadership role within the group which traveled to Cuba. During his participation in that trip, Luce said, he had been on leave without pay from his ECLC position.

Luce acknowledged that in the spring of 1963 he had requested and received a U.S. passport from the State Department. He admitted he had the Cuban trip in mind at the time he filed his passport application, even though he had said in that application that he only intended to visit France, England, and "other countries." He also confirmed the subcommittee's information that he subsequently had not requested the Department of State to endorse his passport for travel to Cuba.

Luce testified that he had not discussed the purposes of the trip with either Leonard Boudin or Victor Rabinowitz prior to the group's departure. Lawyers Boudin and Rabinowitz are prominent members of the Emergency Civil Liberties Committee, who have identified themselves in litigation before U.S. courts as representing the legal interests of Fidel Castro in the United States.

The witness told the subcommittee that near the end of his stay in Cuba, at the request of the "students," he had cabled the director of the Emergency Civil Liberties Committee, asking the aid of ECLC in any legal matters concerning criminal actions or passports in which the students might become involved.

Luce insisted that he had broken no law when he traveled to Cuba. He claimed the only prohibition against traveling to Cuba without specific passport endorsement to do so exists in the form of a State Department public notice, not a law. He said, further, that even if there were such a law, he would consider it his duty to break it.

TESTIMONY OF WENDIE S. N. ROSEN

The subcommittee's final three witnesses on September 13 were heard during a public session in the afternoon. The first of these was Wendie Suzuko Nakashima Rosen, a student on leave of absence from the City College of New York and the wife of Jacob Rosen.

Inasmuch as the witness had used her maiden name during her Cuban travel and expressed no preference for either name in her interrogation, she was addressed by both her maiden and married names.

Miss Nakashima acknowledged the correctness of the following background information about her which had been obtained by the committee's investigation:

On May 3, 1960, while a member of the Students for a Sane Nuclear Policy at CCNY, she refused to take part in a civil defense air raid drill. Later in 1960, prior to the existence of restrictions on travel to Cuba, Miss Nakashima visited Cuba for about 3 months, during which time she worked in the Sierra Maestra Mountain area. A "couple of years ago," in the words of the witness, she was a member of Advance, an organization described as a Communist front by the U.S. Attorney General in a petition to the Subversive Activities Control Board on January 10, 1963. On June 5, 1962, she filed a passport application, in which she stated it was her intention to travel to England, France, and Italy—then in July and August 1962, she used the passport to travel to the Communist-run Eighth World Youth Festival at Helsinki, Finland.

Miss Nakashima told the subcommittee she had not listed Helsinki, Finland, on her passport application because she felt there might be an attempt to delay or prevent her from going there.

The witness said that she had been in attendance at the meeting during which the Ad Hoc Student Committee for Travel to Cuba was organized in the fall of 1962, but invoked the fifth amendment when asked if either Milton Rosen or Mortimer Scheer, expelled Communist Party members who organized the Progressive Labor Movement, had been present on that occasion.

Miss Nakashima acknowledged she had not at any time subsequent to receipt of her passport in June 1962 requested the State Department to validate it specifically for travel to Cuba. She claimed there was no law in existence requiring such validation.

She did not contest the subcommittee's information that she had departed from New York on June 25, 1963, and traveled to Cuba on BOAC and Cubana airlines via London, Paris, and Prague. She testified that she had participated in many press interviews during her stay in Cuba.

In reply to questions about the use of her passport, she testified only that she had exhibited it to foreign immigration officials in London and Paris on the way to Cuba and to U.S. immigration officials when she returned to the United States.

During her testimony, Miss Nakashima said that she was no longer a member of Advance and had at no time been a member of the Communist Party.

TESTIMONY OF CATHERINE JO PRENSKY

The next witness was Catherine Jo Prensky, 20, formerly a student at the University of Wisconsin, but enrolled in the City College of New York at the time of her appearance before the subcommittee.

According to information obtained through a preliminary investigation, Miss Prensky applied for a U.S. passport at the State Department's office in New York City on April 24, 1962, setting forth a plan to travel as a tourist to England, France, Switzerland, Italy, and Finland. She acknowledged to the subcommittee that she had used the passport to attend the Eighth World Youth Festival at Helsinki, Finland, from July 29 through August 6, 1962.

Miss Prensky admitted that, without having requested validation of her passport for travel to Cuba, she nevertheless had traveled there in June 1963 by way of New York, Amsterdam, Paris, and Prague. She told the subcommittee her passport had been lifted temporarily by a Dutch official in Amsterdam and was not returned until after an official from the U.S. Embassy in Holland had spoken to her.

She recalled having exhibited her passport in Paris, but said she could not remember whether, in Prague, she had received a Cuban visa bearing her passport number.

Miss Prensky affirmed that she belonged to a Progressive Labor Student Club.

TESTIMONY OF LARRY W. PHELPS

The day's final witness was Larry Wilford Phelps, an unemployed 1963 graduate of the University of North Carolina. He was another of the so-called students who made the unauthorized trip to Cuba during the summer of 1963.

Phelps testified that he had been one of the organizers of the Progressive Labor Club at the University of North Carolina in July or August 1962. He admitted having participated in an all-day conference of the Progressive Labor Movement on July 1, 1962, at the Hotel Diplomat in New York City, which was attended by more than 50 delegates from widely scattered Progressive Labor groups throughout the country. He invoked the self-incrimination clause of the fifth amendment, however, when asked if he had had prior discussion about the formation of a Progressive Labor Club at the University of North Carolina with Jacob Rosen, an identified Communist who had been a frequent visitor to the university campus.

Phelps testified that, in a passport application filed with the Department of State on December 7, 1962, he had said he intended to visit "England and maybe France." He strongly implied to the subcommittee that, at the time he filed the application, he had intended to travel to Cuba, but that he deliberately did not state this because he knew he would be refused permission if he did.

The witness affirmed the subcommittee's information that he had at no time, after receiving his passport in December 1962, requested that it be validated for travel to Cuba.

Phelps told the subcommittee he had no knowledge of how payment was made to KLM and BOAC airlines for the flight tickets used by

the students on their unauthorized trip to Cuba in June 1963. He stated further he did not know the identity of "J. Jacobs."

October 16 Hearing

A subcommittee, composed of Representatives Joe R. Pool, chairman, of Texas; Richard H. Ichord, of Missouri; and August E. Johansen, of Michigan, continued hearings on the subject of unauthorized travel of U.S. citizens to Cuba at a public session in Washington, D.C., on October 16, 1963. On this occasion, the subcommittee was particularly interested in establishing the true identity of one "Jay" or "J." "Jacob" or "Jacobs," who had been mentioned in earlier hearings as the purchaser of air travel tickets used by the U.S. students who traveled to Cuba by way of Prague, Czechoslovakia, in the summer of 1963.

TESTIMONY OF ARNOLD INDENBAUM (J. JACOBS)

The first witness to appear at the subcommittee's morning session was Arnold Indenbaum, for 10 years a brakeman on the New York Central Railroad until furloughed from his job on September 2, 1963.

Mr. Indenbaum invoked the fifth amendment and other constitutional reasons in declining to say whether he was aware that a person using the names "Jacob" and "Jacobs" on June 10 and 11, 1963, had deposited more than $36,000 at the Ottawa, Canada, offices of the British Overseas Airways Corporation and the KLM Royal Dutch Airlines for flight reservations to Paris, France. He also declined, for the same reasons, to tell the subcommittee if he was aware that a person using a North Carolina driver's license to identify himself as "Jay Jacobs" had collected refunds on unused flight tickets from the New York City offices of BOAC and KLM in late August 1963.

He declined to answer when asked if he had ever used or been known by the name of "Jay Jacob" or "Jay Jacobs."

At this point Mr. Indenbaum was instructed to stand aside temporarily while the subcommittee heard other witnesses.

TESTIMONY OF JUNE GARD

Miss June Gard, an employee in KLM's main New York City office, testified that Levi Laub had visited that office on at least five occasions to make arrangements for the flight of a group of U.S. students to Paris by way of Amsterdam in June 1963.

Miss Gard said that in June 1963 she had received a telephone call from the KLM office in Ottawa and talked to a man who identified himself as "Mr. Jacob." He told her he was at the Ottawa KLM office to pay for tickets which had been reserved for a group of students by Levi Laub at KLM's New York office.

The witness also testified that shortly after the students departed from New York for Cuba on June 25, she received a telephone call from a person identifying himself as "Mr. Jacob," who asked that a refund for unused KLM tickets he had purchased be sent to his bank account. When she asked for his bank account number, he said he had several and would call her back. She also requested that he

come to the KLM office in person and present identification of himself.

It was not until about August 26, Miss Gard testified, that a man who introduced himself as "Mr. Jacob" and produced a driver's license bearing his photograph as identification came to her office and applied for a refund from KLM.

Miss Gard said that the man who had identified himself as "Mr. Jay Jacob" and Arnold Indenbaum, the preceding witness, were one and the same person.

TESTIMONY OF PETER GUMPERT

Peter Gumpert, a graduate student at the University of North Carolina, testified that he had met a person he knew only as "Arnie" or "Arnold" on July 25, 1963, when the latter spent the night at the Chapel Hill, N.C., residence where he (Gumpert) shared a room with Nicholas Bateson, another graduate student at the university. He said he had not known Indenbaum by the name of "Jacob" or "Jacobs" while the latter was in Chapel Hill. (Bateson, according to subcommittee information of which Mr. Gumpert said he was not aware, had played a leadership role in the formation of a student Progressive Labor organization at Chapel Hill.)

Mr. Gumpert told the subcommittee he had been introduced to Jacob Rosen by Mr. Bateson in late 1962 or early 1963. The witness said no information had been brought to his attention, however, concerning Rosen's affiliation with any Communist group. He said he may have learned from Mr. Bateson that Mr. Rosen was connected with Progressive Labor.

Mr. Gumpert testified that he was not a member of either Progressive Labor or the New Left Club, a group which preceded the Progressive Labor organization at Chapel Hill.

He told the subcommittee that on July 26, 1963, he had obtained a rented automobile for Mr. Indenbaum, who needed a vehicle with which to take an examination for a North Carolina driver's license. That same day, said the witness, he drove Indenbaum to Carrboro, N.C., where Indenbaum completed the required tests. Mr. Gumpert said he waited outside while Indenbaum took his examination in the driver examiner's office and did not accompany Indenbaum during the latter's road test. He did, however, drive the visitor back to Chapel Hill, after which he did not see him again until the hearing.

A short time after Mr. Indenbaum's visit, according to the witness, Mr. Gumpert and Mr. Bateson ceased to share the same residence, each moving to a new location.

TESTIMONY OF DURANE U. SHERMAN

The next witness was Durane U. Sherman, license examiner for the North Carolina Department of Motor Vehicles. He testified that on July 26, 1963, he had received and processed an "Application for North Carolina Driver's License" submitted and signed in his presence by "Jay Jacobs." The man identifying himself as Mr. Jacobs told him that he had not previously been licensed to operate a motor vehicle in North Carolina or any other State, said the witness.

Mr. Sherman said that after "Jacobs" completed the required examinations, he collected a fee from the applicant and gave him a

receipt which could have served as a temporary license for a period up to 30 days. Mr. Sherman testified that he forwarded the application to the Commissioner of Motor Vehicles in Raleigh, N.C., from which the permanent license would have been sent directly to the applicant at Bateson's post office box, the address "Jacobs" gave on the application.

Committee counsel introduced the North Carolina driver's license application of "Jay Jacobs," bearing stamped number 1230513, identified as such by Mr. Sherman. The witness testified that, under normal operating procedures, that number would be the number of the permanent license issued to "Jacobs" by the Department of Motor Vehicles at Raleigh.[5]

Mr. Sherman told the subcommittee that Arnold Indenbaum, the first person who had appeared on the witness stand, was the man who had represented himself as "Jay Jacobs" when he was examined for a driver's license in North Carolina on July 26, 1963.

TESTIMONY OF NICHOLAS BATESON

The next witness was Nicholas Bateson, an employee of the University of North Carolina who had immigrated to the United States from his native England in 1958, the year after his graduation from Oxford. Mr. Bateson said he had not applied for U.S. citizenship.

Mr. Bateson invoked the fifth amendment when asked if he knew Arnold Indenbaum; whether Indenbaum had visited him on July 25–26, 1963, and discussed the need for obtaining a North Carolina driver's license; and whether he had been informed by Indenbaum that he would represent himself as "Jay Jacobs" for the purpose of acquiring the license.

According to the subcommittee's information, a North Carolina driver's license was issued to "Jay Jacobs" on July 29, 1963, and mailed to Nicholas Bateson's post office box.

Mr. Bateson declined to answer for the same reason when asked if he had involved Peter Gumpert in helping Indenbaum obtain a license under the name of "Jay Jacobs" without Gumpert's knowledge of the scheme and whether he knew that Indenbaum had intended to pose as "Jacobs" for the purpose of receiving refunds from KLM and BOAC.

Mr. Bateson said a report in the University of North Carolina student newspaper, *Daily Tar Heel*, of November 29, 1962, which had indicated he planned to accompany a student group to Cuba in December 1962 was erroneous.

He invoked the fifth amendment when asked whether he had been one of the organizers of the Progressive Labor Club at the University of North Carolina, but said he had no knowledge that the club had recruited and organized students for travel to Cuba.

The witness cited both the first and fifth amendments in declining to say whether he knew Larry Wilford Phelps to be a member of the Progressive Labor group at Chapel Hill. In explanation of his refusal to answer, Bateson admitted being what he called a "guest" member of the Progressive Labor Club and said he felt bound to "the

[5] Documents introduced later in the hearings revealed that the license Indenbaum subsequently used to identify himself as "Jay Jacobs" was numbered 1230513.

rules of this club, and one of the rules of this club is that one is under a very solemn and sacred honor not to discuss the names of other people who are also on the political left."

He continued to cite the fifth amendment when asked about subcommittee evidence that the Progressive Labor Club was not recognized by the University of North Carolina and was, therefore, barred from using the university's facilities for meetings.

Mr. Bateson refused, again claiming fifth amendment privileges, to confirm or deny a *Daily Tar Heel* story of September 25, 1962, that he had granted it an interview as a "spokesman" for the Progressive Labor Club. For the same reasons, he declined to say how the Progressive Labor Club was organized at Chapel Hill; to identify the individual from the national office of Progressive Labor with whom he conferred in regard to the formation of a Chapel Hill branch; to state whether he had been in attendance at the national organizational meeting of the Progressive Labor Movement on July 1, 1962; and whether, in connection with the formation of the Chapel Hill Progressive Labor Club, he had conferred with Jacob Rosen, Milton Rosen, or Mortimer Scheer.

Counsel was requested by the chairman to refer a copy of the transcript of Mr. Bateson's testimony to the Bureau of Immigration and Naturalization for appropriate review.

FURTHER TESTIMONY OF JUNE GARD

Miss June Gard was recalled by the subcommittee to elaborate upon her earlier testimony. She said that in her capacity as an employee of KLM's New York office she had received two telephone calls from a person or persons identifying themselves as "Jay Jacobs." The first call was received from Canada in mid-June in connection with the payment in Ottawa of money for flight tickets for the students. The second telephone call, she explained, was apparently a local one (made in New York) and concerned a request for a refund for tickets which had been purchased but not used. The second call was received several days after the June 25 departure of the students on their roundabout trip to Cuba.

Miss Gard testified that the man who later came to the KLM office in New York and identified himself to her as "Jay Jacob" was the same person who had been the first witness before the subcommittee that morning (Indenbaum).

TESTIMONY OF BRUNHILDE LINKE

The first witness during the afternoon session was Miss Brunhilde Linke, a ticket agent for the KLM Royal Dutch Airlines office at 609 Fifth Avenue, New York City. She told the subcommittee that in the last week of August a person representing himself as "Mr. Jacobs," accompanied by another man, came to the KLM ticket office to check on a refund request that had already been initiated. He presented a letter from the KLM refund department, she said, which had instructed him either to come to the office himself to collect the refund or to authorize someone else to do so. Miss Linke said this man also presented as identification a driver's license with his picture on it, made out to either "Jay" or "J." Jacobs.

Miss Linke said no company official in a position to authorize the signing of a refund check was present on that occasion, so "Jacobs" was asked to return the following morning, which he did. She told the subcommittee that the refund check was then given to "Jacobs" by the KLM ticket office manager, Mr. van der Jagt.

Miss Linke testified that the day's first witness, Arnold Indenbaum, was the person previously known to her as "Jay Jacobs," the man who had received the KLM refund check from Mr. van der Jagt.

TESTIMONY OF EDWARD R. O'NEILL

Edward R. O'Neill, ticket counter manager of the British Overseas Airways Corporation's office at 530 Fifth Avenue, New York City, was the next person heard by the subcommittee. From records in his possession subpenaed for the hearing, Mr. O'Neill testified that the Ottawa BOAC office had telephoned the New York office on June 10 and 11, 1963, advising that it had received deposits of $5,000 and $17,739.20, respectively, from a Mr. "J. Jacobs." The deposits, according to BOAC records, were to hold 60 seats for travel from New York to London to Paris. Reservations for these seats, Mr. O'Neill told the subcommittee, had initially been requested by Mr. Levi Laub in May, and the deposit on them was supposed to have been made on June 6. On Saturday, June 8, however, according to the witness, a person identifying himself as Levi Laub had telephoned BOAC's New York office from Canada and explained that he was not able to make the deposit in Montreal on that date because the BOAC office there was closed.

Mr. O'Neill also testified that on June 13, 1963, Mr. Laub came to the BOAC office in New York with a Miss V. Ortiz, who purchased a ticket for herself and another for "A. Indenbaum," for a BOAC New York-London-Paris flight departing June 16, with an open return date. The Indenbaum ticket had previously been reserved under a "no-name" booking, the witness explained.

Committee counsel recalled for the record that on September 12, 1963, witness Barry Hoffman had testified that the students who departed from New York for Cuba on June 25 were joined in Prague, Czechoslovakia, by a girl named Victoria Ortiz.

Counsel presented to Mr. O'Neill, for identification, a copy of a document dated August 26, 1963, signed by "Jay Jacobs," acknowledging receipt of a BOAC check numbered D000149, in the amount of $4,134.40. The witness said "Mr. Jacobs" had signed this receipt in his presence on the date indicated at the time he gave the alleged Mr. Jacobs a refund check for unused tickets. Mr. O'Neill told the subcommittee he had first established "Mr. Jacobs'" identity from North Carolina driver's license number 1230513, which he noted on the refund receipt "Jacobs" had signed. The witness also identified a canceled check shown him by the subcommittee as the one he had signed and given "Mr. Jacobs" on August 26, 1963.

Mr. O'Neill further testified that the person with whom he had dealt as "Jay Jacobs" was the same person who had testified before the subcommittee earlier in the day under the name of Indenbaum.

TESTIMONY OF DAVID PERHAM

David Perham, an employee of the First National City Bank of New York, testified that on August 27, 1963, a person identifying himself as "Jay Jacob" had appeared at the bank's branch office at 640 Fifth Avenue to cash check No. 6001, made payable to him, in the amount of $2,067.20, by the KLM Royal Dutch Airlines. Mr. Perham, who was the branch officer in charge of approving checks up to $250 on that occasion, said he took both the check and "Mr. Jacobs'" driver's license to another bank official who was authorized to approve the cashing of checks in higher amounts. The check was approved by the other official and returned to "Mr. Jacob" by Mr. Perham, who noted on the back of the check that "Mr. Jacob's" identification had been established by a North Carolina driver's license. Mr. Perham said "Mr. Jacob" endorsed the check in his presence.

Mr. Perham testified that the person who had negotiated the check at his bank, payable to "Jay Jacob," was the same man who had been identified and had previously testified at the subcommittee hearing as Arnold Indenbaum.

TESTIMONY OF HAROLD J. E. GESELL

Harold J. E. Gesell, chief of the Veterans' Administration's Identification and Detection Division and expert examiner of questionable documents, was the next witness heard by the subcommittee. On October 8, 1963, the Committee on Un-American Activities had submitted to Mr. Gesell for examination four documents bearing the signature of "Jay Jacobs." They were: (1) a BOAC check, D000149, dated August 26, 1963, endorsed by "Jay Jacobs"; (2) a KLM Royal Dutch Airlines check, dated August 27, 1963, endorsed by "Jay Jacobs"; (3) a receipt, dated August 26, 1963, on a BOAC letterhead, signed by "Jay Jacobs"; and (4) the application for a North Carolina driver's license signed by "Jay Jacobs."

After testifying in detail as to the reasons for his findings and conclusion, Mr. Gesell said that, in his opinion, the "Jay Jacobs" signatures had been written by the same person in all four instances.

FURTHER TESTIMONY OF ARNOLD INDENBAUM

Arnold Indebaum was then recalled for further interrogation. He invoked the fifth amendment in response to all questions concerning the other witnesses' testimony about his activities under the name of "Jacob" or "Jacobs."

In addition, he declined for the same reason to admit that it was *not* he who, identifying himself as "Jay Jacobs" and a friend of Levi Laub, had telephoned the New York KLM office from the KLM office in Ottawa, Canada, stating he had deposited money with KLM's Ottawa agent for the purchase of flight tickets to Paris.

Mr. Indenbaum also invoked the fifth amendment when asked if he had gone to North Carolina and obtained a driver's license under the name of "Jay Jacobs" in order to establish identification with which he could collect refunds on unused airline tickets purchased under that fictitious name.

At this point in the proceedings, committee counsel introduced an affidavit from H. J. van der Jagt, ticket manager of the KLM Royal Dutch Airlines office in New York City, who was out of the country and unable to appear at the hearings. In this statement, Mr. van der Jagt said he had given a KLM refund check, dated August 27, 1963, in the amount of $2,067.20 to a person who presented a North Carolina driver's license in identifying himself as "Jay Jacobs," the purchaser of unused flight tickets. Mr. Indenbaum declined, for the same reason, an invitation to say if there was any inaccuracy in Mr. van der Jagt's affidavit.

Repeatedly citing the fifth amendment, the witness refused to discuss his acquaintanceship with Nicholas Bateson; to confirm or deny that, when he applied for a driver's license in North Carolina and claimed never to have been a licensed operator, he actually possessed a valid New York chauffeur's license; to say if he had been aware of arrangements made by Levi Laub for travel to Ottawa, Canada, via Trans Canadian Air Lines on June 8, 1963, two days prior to the date when deposits were made in that city for ticket purchases from KLM and BOAC; to testify whether he had flown via BOAC to Paris with Vickie Ortiz in mid-June 1963 to make arrangements for the reception of Cuba-bound U.S. student groups which arrived at the French capital later that month; to explain the source of the funds deposited at the KLM and BOAC offices in Ottawa; and to reveal what disposition had been made of the more than $6,000 in refunds he had obtained under the names of "Jacob" and "Jacobs" from the KLM and BOAC in New York City.

Mr. Indenbaum continued to invoke the fifth amendment in declining to answer questions pertaining to the following subcommittee information concerning his background:

In the New York City primary on August 22, 1950, Arnold Indenbaum was elected a delegate from the 21st Assembly District to the Second Judicial District Convention of the American Labor Party (ALP).

In the fall of 1951, Indenbaum's name appeared on an American Labor Party petition as a candidate for membership on the ALP's County Committee for Kings County, New York. Heading the ticket on which he ran was a well-known Communist, Clifford T. McAvoy, who sought the presidency of the City Council of New York.

The witness again invoked the fifth amendment when asked if he had been advised to seek office in the American Labor Party by anyone known to him to be a member of the Communist Party.

The committee counsel pointed out for the record that the New York City section of the American Labor Party was cited as subversive by the Special Committee on Un-American Activities in 1944 and the Senate Internal Security Subcommittee in 1956.

Mr. Indenbaum, for the same reason, refused to acknowledge having filed with the State Department in 1959 a passport application on which he failed to answer questions pertaining to past and present membership in the Communist Party. He likewise declined to inform the subcommittee whether he had been a Communist Party member at the time he filed the application for a passport in 1959, during the time he was a candidate for the ALP County Committee in 1951, or when he was a delegate to the ALP convention in 1950.

Invoking the fifth amendment, the witness also refused to say whether at the time of his testimony he was a member of the Progressive Labor Movement.

November 18 Hearing

Public hearings on violations of State Department travel regulations and pro-Castro propaganda activities in the United States were continued in Washington, D.C., on November 18, 1963, by a subcommittee composed of Representatives Richard H. Ichord, of Missouri, chairman; George F. Senner, Jr., of Arizona; and August E. Johansen, of Michigan. Of primary interest to the subcommittee were the activities of Mr. and Mrs. John R. Glenn, a young couple who had traveled to Cuba with the group of 58 students in June 1963, but who did not return to the United States until about 6 weeks after most of the others had returned at the end of August.

TESTIMONY OF HAROLD G. WILKES

The first witness was Harold G. Wilkes, a warehouse supervisor for a manufacturing company in Bloomington, Ind. He said that for a 9-month period, beginning about the middle of August 1962, he had rented an apartment in his home to a Mr. and Mrs. Glenn, who answered an advertisement he had placed in a local newspaper.

Mr. Wilkes said the apartment occupied by the Glenns was located directly beneath his kitchen and dining room. He explained that the same heating ducts and a common forced-air register served both living areas, making it possible for him, while in his own quarters, to overhear conversations taking place in the apartment below.

The witness testified that the Glenns had received numerous visitors and that by January 1963 regular meetings were held in their apartment. He said he hadn't become particularly concerned about the nature of the meetings prior to one which was held in mid-March 1963. On that occasion, Mr. Wilkes told the subcommittee, a group referred to as the "YSA" was addressed by an instructor identified only as "a comrade from New York."

Mr. Wilkes recalled that the New Yorker addressed members of the group as "comrades" and urged them to remain faithful to the YSA, which the witness later learned was the Young Socialist Alliance. He testified that the speaker called our present form of government an "imperialistic, capitalistic system" and stated it was only a matter of time before the system would be replaced through the efforts of the YSA and other groups.

The witness told the subcommittee that the meetings, held about once a month, continued until the latter part of May 1963. He said the gatherings in the Glenns' apartment had been attended by groups of from 7 to 15 persons. He recalled that, in addition to John and Marcia Glenn, some of the participants had been Ralph Levitt, Jim Bingham, Tom Morgan, Bill and Paulann Groninger, Jack and Betsy Barnes, and Don and Polly Smith.

Information developed by committee investigation of the persons named by Mr. Wilkes was entered into the record of the hearings, as follows:

Ralph Levitt was the president of the Young Socialist Alliance at the University of Indiana in Bloomington, Ind., in 1962. During

the period 1961–63 he was associated with the Fair Play for Cuba Student Council at the university and was the original lessee of the Bloomington post office box used by that organization.

James Bingham was treasurer and later chairman of the Fair Play for Cuba Student Council at the University of Indiana in 1961 and 1962. In 1962 and at least part of 1963 he was secretary of the Young Socialist Alliance at the university.

Thomas G. Morgan has held offices in both the Young Socialist Alliance and the Fair Play for Cuba Student Council at the University of Indiana.

Levitt, Bingham, and Morgan have been indicted for conspiring to overthrow the Government of the State of Indiana, in violation of an Indiana statute.

Paulann and William Groninger, husband and wife, are members of the Young Socialist Alliance. Paulann Groninger is also secretary of the Committee to Aid the Bloomington Students (the indicted threesome).

Jack Barnes is or was a student at Northwestern University and is an organizer for the Young Socialist Alliance in the Midwest.

According to the testimony of Mr. Wilkes, Marcia Glenn was the corresponding secretary for the Young Socialist Alliance. He said he became aware of this fact in May 1963, when he overheard Mrs. Glenn asking James Bingham whether she should resign as corresponding secretary, because of adverse local publicity the YSA was receiving.

At this point in the hearing, committee counsel introduced 13 publications which Mr. Wilkes had found in the Glenns' apartment and recently delivered to the Committee on Un-American Activities. The witness described them as samples of quantities of such material he had observed in the apartment on an occasion when he entered it to do some repair work.

Nine of the samples were products of Pioneer Publishers, 116 University Place, New York City, the same address maintained by the Socialist Workers Party and the Young Socialist Alliance of New York City. (In 1948 the Socialist Workers Party was cited as subversive and Communist by the Attorney General of the United States and as a dissident Communist group by the Committee on Un-American Activities.)

The titles of some of the sample pamphlets were: *Trotskyism and the Cuban Revolution—An Answer to Hoy*, *In Defense of the Cuban Revolution: An Answer to the State Department and Theodore Draper*, *The Theory of the Cuban Revolution*, and *The Socialist Workers Party*, all written by Joseph Hansen, secretary to Leon Trotsky until the latter was assassinated by Stalinist agents in Mexico in 1940.

Another pamphlet was entitled *1948 Manifesto of the Fourth International Against Wall Street and the Kremlin*, published by the Workers Press for the Canadian Section of the Revolutionary Workers Party.

Still another item Mr. Wilkes had obtained as a sample from the Glenns' apartment was a song sheet, entitled "Revolutionary and Workers' Songs," which contain verses of the "Internationale," "The Red Flag," and "Solidarity."

Mr. Wilkes told the subcommittee he had seen four stacks, each 3 or 4 feet high, of pamphlets in the Glenns' apartment. He said he had also seen copies of *The Militant* (official organ of the Socialist Workers Party), the *Young Socialist Forum* newspaper, and what appeared to be a YSA constitution or charter.

The witness testified that in the Glenns' apartment he had observed a bulletin board which displayed a Cuban flag, a post office wanted poster for a person named "Williams," and newspaper clippings about Communist and socialist victories in the United States. He said there had been a mimeograph machine in the apartment from time to time.

TESTIMONY OF JOHN R. GLENN

The next witness was John R. Glenn, 34, who maintained a post office box in Bloomington, Ind., where he formerly resided, but said he had been staying with his wife's parents "since we got back from Cuba." Mr. Glenn related the following information about his educational and employment background.

He was graduated from high school in Huntington, Ind., in 1947 and worked in various laboring and administrative capacities for the Erie Railroad until he entered the University of California at Los Angeles in January 1949. He transferred to the University of Indiana in September 1950, but went into the U.S. Air Force before completing a semester.

While in the service, Glenn received training in the Russian language at Syracuse University and became a Russian linguist for Air Force Intelligence, with security clearance for secret, top secret, and cryptographic information. Meanwhile, he continued his regular college studies through night school and correspondence courses. By June of 1953, he had completed all but 6 months of the academic work necessary for college graduation and became eligible to participate in a unique Air Force program that would permit him to earn his degree. Under this program, members of the Air Force who required only 6 months of studies in order to qualify for a college degree could be assigned to temporary duty at appropriate schools to complete the necessary courses. Thus Glenn, while still receiving regular military service pay, including food and housing allowances, returned to full-time studies at the University of Indiana where he obtained a degree in business administration in January 1954.

He then resumed active duty with Air Force Intelligence for 2 more years, including 16 months overseas, before being discharged in January 1956, after reaching the rank of staff sergeant.

Following his separation from the service, Glenn again enrolled at the University of Indiana to do graduate work in economics and completed all but two papers necessary for obtaining his master's degree in this field.

In the fall of 1957, Glenn entered Indiana University Law School as a student. At the same time he taught introductory economics at the university.

During the summer of 1958, he visited the Soviet Union, Czechoslovakia, and Poland for about 40 days as a guide for the Tom Maupintour Associates, an American travel agency. The next summer he toured the same countries, plus Yugoslavia and Rumania, in a similar capacity for another travel organization.

Early in 1961, Glenn received his degree from the Indiana University Law School and subsequently was admitted to the Indiana Bar.

The witness admitted that in April 1961 he had participated in a protest demonstration against the attempted invasion of Cuba.[6]

In response to interrogation by the subcommittee, Glenn freely acknowledged the following facts which had been developed through committee investigation:

On October 23, 1961, at Bloomington, Ind., he filed a passport application with the Department of State, listing Cuba as a country he intended to visit. In a letter from the State Department, dated November 7, 1961, he was notified that his request for a passport was refused.

On November 14, 1961, Glenn sent a letter to the Cuban Embassy in Ottawa, Canada, in which he requested a visa for Cuba. In a reply, dated November 21, 1961, the Chargé d'Affaires of the Embassy informed him that, as an American citizen, he would have to apply for a Cuban visa at the Czech Embassy in Washington, which was handling Cuba's business in the United States. He was also advised in the same communication that it would be necessary for him to have passport validation by the U.S. State Department in order to travel to Cuba.

Glenn told the subcommittee he contacted the Czech Embassy in Washington, but was informed by an official there that his request for a Cuban visa would have to be forwarded to Cuba, inasmuch as the Embassy was not empowered to grant it. The Czech diplomat told Glenn, however, that he had heard Americans could readily obtain Cuban visas from the Cuban Embassy in Mexico City.

The witness also confirmed information obtained through an investigation by the committee that he had traveled to Mexico in the spring of 1962 in an unsuccessful attempt to get a Cuban visa. Glenn said he learned in Mexico that in order for him to obtain a visa, someone then in Cuba would have to recommend to the Cuban State Department that he be given one. Accordingly, Glenn told the subcommittee, he sent a telegram from Mexico to George Shriver, a friend and a leader of the Indiana University Fair Play for Cuba Student Council. He asked Shriver to write Robert Williams, who had fled to Cuba to avoid prosecution by U.S. authorities, to see if Williams could initiate action to obtain a visa for Glenn. Glenn testified that Shriver knew Williams, whom Glenn had met only once in Bloomington.

The witness said he received a return wire addressed to "Jack Glenn, care of the Cuban Embassy to Mexico," which said: "Letter sent to Williams. Keep in touch. Venceremos" (a Cuban revolutionary slogan meaning "We shall conquer"). The message was signed "G.S.," making it appear to have been sent by George Shriver. Glenn said he later found out the telegram had been sent by two other friends, James Bingham and Ralph Levitt, after Shriver procrastinated in contacting Williams.

In any event, Glenn was not successful in getting to Cuba from Mexico in the spring of 1962, according to his testimony. He claimed to have paid his own expenses for the trip to Mexico.

---

[6] Bay of Pigs invasion on April 17, 1961, by Cuban exiles.

Glenn testified that during the Cuban crisis, an Ad Hoc Committee to Oppose U.S. Aggression was created by the Fair Play for Cuba Student Council and the Young Socialist Alliance at the University of Indiana, even though the YSA had not yet been recognized by the university at that time. He said that on October 24, 1962, the ad hoc committee held a protest march against the United States-imposed blockade of Cuba. The witness said that, although he supported the march, he did not participate because he had just opened his law office in Bloomington and "that would not have been too smart a thing to do, of course."

It was at about this time, the fall of 1962, Glenn told the subcommittee, that he joined the Fair Play for Cuba Committee. He had been a sympathizer of the group much earlier, he said. He admitted having written a letter printed in an Indiana University publication, dated February 10, 1962, in which he said that "the people in Fair Play are willing to argue to anyone who will listen that our government and our press are lying through their teeth [about Cuba]."

Glenn said that he and his wife were frequent listeners to Radio Havana and from this source, in December 1962, first heard about a trip to Cuba being planned by a group of U.S. students. The Glenns were interested in the trip, but the Cuban radio had failed to say by whom it was being organized in the United States. Accordingly, the Glenns wrote inquiries about it to both the Cuban mission to the United Nations and the Fair Play for Cuba Committee. He told the subcommittee they did not receive a reply directly from either of these groups, but one or both of them had apparently forwarded the inquiry to the Ad Hoc Student Committee for Travel to Cuba, from which the Glenns did receive correspondence containing the desired information.

The witness admitted that, without having applied for U.S. validation, he traveled to Cuba with the group of alleged students who departed from New York on a BOAC plane on June 25, 1963.

Glenn acknowledged the accuracy of the subcommittee's information that on the return trip, after arriving in Spain with the main body of U.S. "students" on August 26, 1963, he left the group and traveled to Morocco. He said that after he and his wife had learned they could stay abroad for a while, they had decided to travel to Algeria to observe the political developments there, which were supposed to be similar to what they had witnessed in Cuba.

Glenn told the subcommittee that he and his wife requested their parents to send money for them to Algiers and that they planned to travel in Western Europe as long as the money lasted.

When the Glenns arrived in Morocco from Spain, the witness testified, they received an entry permit to Algeria from the Algerian Government. While hitchhiking their way to Algeria, however, they were arrested by the Moroccan police and ordered deported to Spain as undesirables. He said he learned from both the American consul in Rabat, Morocco, and the Moroccan police that the deportation was ordered by the United States Government.

On the voyage back to Spain, according to Glenn, he and his wife threw their Spain-to-U.S. flight tickets, which had been purchased by the Cuban Government, into the Mediterranean Sea. They decided to do this, he said, because they were being returned to the

United States unwillingly and wanted the U.S., not Cuba, to bear the cost of the transportation under those circumstances.

On October 15, 1963, according to investigation by the committee, Glenn reported to the American Embassy in Madrid, Spain, that he and his wife did not have tickets for return transportation to the United States. The Embassy purchased tickets for them, and they were flown to the United States on an Iberian Air Lines plane.

Mr. Glenn told the subcommittee he did not know who purchased the tickets on which they were actually transported home. He said he had told Iberian Air Lines, however, not to use "our right" to the transportation which had been purchased as a gift by the Cuban Government. He said he informed Iberian representatives that the transportation gift from Cuba was "our property" and was not to be used to transport the Glenns "against our express will."

During the course of his appearance before the subcommittee, Mr. Glenn was questioned on a variety of additional matters. A summary of certain of his responses follows:

John Glenn and a student named Jack Marsh were living at the same apartment address in Bloomington at the time Glenn applied for a U.S. passport for travel to Cuba in October 1961. Glenn was responsible for Marsh's initial interest in Cuba, which led to the latter's joining both the Young Socialist Alliance and the Fair Play for Cuba Committee. (According to investigation by the committee, Marsh rented a post office box for the YSA in Bloomington, Ind., on September 20, 1962.)

Ralph Levitt attended meetings of the Young Socialist Alliance held in the apartment of John and Marcia Glenn, rented from Harold Wilkes in Bloomington. James Bingham and William and Paulann Groninger were others who had visited the Glenns' apartment on different occasions, probably including meetings of the Young Socialist Alliance and the Committee to Aid the Bloomington Students. Mrs. Glenn was a member of the latter group. Mr. Glenn believed Mrs. Groninger was the secretary of the Committee to Aid the Bloomington Students as well as a member of the Young Socialist Alliance.

Continuing with a summary of Mr. Glenn's testimony:

He was never a member of the Young Socialist Alliance or the Socialist Workers Party. Nevertheless, he accepted the Trotskyist viewpoint and cooperated with, and worked for the benefit of, the YSA and the Fair Play for Cuba Student Council. Glenn was not always in agreement with the Young Socialist Alliance and the Socialist Workers Party. He said he had disagreed with their opposition to the student trip to Cuba and their thinking that it was unnecessary for persons to have to visit Cuba in order to understand the revolution transpiring there.

When Glenn was asked if he had made his apartment in Bloomington available for YSA meetings and traveled to Cuba for the purposes of supporting the Cuban revolution, he replied:

> Yes, I do support the Cuban revolution. * * * I support the Cuban revolution and I will defend it.

Glenn related incidents of the frequent jailing of Trotskyists in Cuba. He said the Soviet Union had tried to force Castro to smash the Cuban Trotskyists in order to receive aid from the U.S.S.R. The witness stated that, although Castro had refused to smash the Trot-

skyists, Cuban authorities did pick them up for a few hours at a time, or overnight, without ever filing charges against them. Glenn said this did not stop the Trotskyists from supporting the Cuban revolution:

> They realize Cuba has to have Russian aid. If little things like this have to happen they feel it is no reason to stop the revolution.

Glenn attempted to justify mass executions in Cuba by saying all of the victims "were murderers under the Batista regime," and they "had the blood of Cuban people on their hands—20,000 of them." He acknowledged, however, the same type of charge was made by the Communist regime in the Soviet Union to justify mass liquidations in the 1930's.

TESTIMONY OF MARCIA HAAG GLENN

The final witness was Marcia Haag Glenn, wife of John R. Glenn. A native of New York City, she was graduated from Cranford High School in Cranford, N.J., in the spring of 1957 and entered the University of Indiana the following fall. She remained at the university as a student or employee, and sometimes in both capacities simultaneously, until 1962. Her employment included positions in the Chemistry and History Departments of the university. She also was engaged in a Latin American studies program at the University of Indiana as she worked toward her master's degree.

Mrs. Glenn confirmed the subcommittee's information that, under the name of Marcia Haag, on December 18, 1962, while in Bloomington, Ind., she had filed for a U.S. passport, which she received on December 21, 1962. She acknowledged that on the passport application she had listed Venezuela, Colombia, and Peru as countries to be visited and indicated December 24 or 25, 1962, as the probable date of departure. She told the subcommittee she had been aware of the possibility that she might take part in a "student" trip to Cuba tentatively scheduled to depart in December 1962, but did not list Cuba on her passport application because she was dubious that the trip would take place.

She admitted, nevertheless, that she had not subsequently traveled to Venezuela, Colombia, or Peru and that she had traveled to Cuba at a later date.

Mrs. Glenn was queried about a news story which appeared in the July 6, 1963, issue of *Sierra Maestra*, a Cuban newspaper, and which identified her as an American student who had visited Cuba's "Hall of Martyrs." She said she had been improperly quoted in the story and proceeded to tell the subcommittee what had occurred at that time.

She said she had visited the Hall of Martyrs in Santiago and that during the visit she and her husband were sitting right behind a group of Cuban women whose sons had lost their lives in the revolution. Mrs. Glenn told the subcommittee that this was a very emotional experience which made her cry. She stated that at this point an American student stood up and said the Americans were to blame for the loss of a lot of Cuban lives, because the Americans had initiated the fighting against the Cuban people. Mrs. Glenn told the subcommittee she agreed with the statement.

When the *Sierra Maestra* story of the incident appeared, it attributed to Mrs. Glenn these words: "We shall do what is possible when we return to our country to initiate a socialist revolution." Mrs. Glenn testified that she had not made that statement at that time. However, she informed the subcommittee, she subscribed to the goal and objective of seeing a socialist revolution in America.

In response to questions concerning meetings which had taken place in the apartment the Glenns rented from Harold Wilkes in Bloomington, Mrs. Glenn testified that the Young Socialist Alliance had met there only once, and that had been in January. Other meetings, she said, were held by the defense committee for the three students who had been indicted at Bloomington. Meetings of the defense committee, she stated, were attended both by persons who were and were not members of the YSA.

She said Ralph Levitt and James E. Bingham, two of the three indicted YSA leaders, were usually in attendance at meetings held in the Glenns' apartment. She said further that Levitt, Bingham, and Thomas G. Morgan, the third YSA leader under indictment, were all personal friends and had been in the apartment on many occasions.

The witness was questioned about a meeting which Mr. Wilkes testified had been held in the Glenns' apartment in mid-March 1963 by the YSA, at which time the group was addressed by a "comrade" from New York. Mrs. Glenn said "this gentleman" had stayed in the apartment and was present for several social gatherings, "but these were not meetings." She said the New Yorker was a YSA member and she thought he was the secretary of the organization.

Mrs. Glenn admitted that Jack Barnes, Midwest organizer for the Young Socialist Alliance, had attended meetings held in her apartment by the defense committee for the three indicted students.

Mrs. Glenn denied she had been the recording secretary of the Young Socialist Alliance in Bloomington or that she was presently a member of the group. She admitted having been a YSA member from January until June, in 1963, but said she had resigned because the YSA had a policy of "not permitting" its members to go on the student trip to Cuba. She said she had learned of this policy from the national secretary of the YSA.

She said she had talked to no one from the Socialist Workers Party concerning her participation in the trip to Cuba.

Mrs. Glenn said the YSA's attitude on the student trip notwithstanding, there was no doubt the YSA supports the Cuban revolution.

She admitted having belonged to, and performed services for, the Fair Play for Cuba Committee and the Ad Hoc Committee to Oppose U.S. Aggression, the latter being organized for a one-time demonstration against the U.S. blockade of Cuba in October 1962. She said the latter group had met once in her apartment prior to its protest demonstration, after which it went out of existence. The ad hoc group, Mrs. Glenn testified, included students from the Fair Play for Cuba Committee, the Young Socialist Alliance, the National Association for the Advancement of Colored People, and the Young People's Socialist League.

Mrs. Glenn denied that an undated statement by the Ad Hoc Committee to Oppose U.S. Aggression had been reproduced on a mimeograph in her apartment. She admitted she had participated in the demonstration on October 24, 1962, during which time the statement

was distributed. "WE OPPOSE UNITED STATES THREAT TO WORLD PEACE" was the heading of the ad hoc group's statement, which accepted the words of Fidel Castro against those of the President of the United States, when it said:

> Premier Castro has stated that there are no "offensive" weapons in Cuba. This indicates there is no immediate threat to the United States.

Mrs. Glenn admitted she had made no request for State Department validation of her passport for travel to Cuba before going to Cuba with the alleged student group in the summer of 1963.

She testified that her support of a socialist revolution in the United States would not include forceful overthrow of the Government.

U.S. COMMUNIST PARTY ASSISTANCE TO FOREIGN COMMUNIST PARTIES

(Veterans of the Abraham Lincoln Brigade)

On July 29, 1963, a subcommittee of the Committee on Un-American Activities held a public hearing in Washington, D.C., on the activities of the Veterans of the Abraham Lincoln Brigade in soliciting, from the American public, funds and materials which, it claimed, would be used to assist families imprisoned in Spain because they had taken part in strikes in the spring of 1962.

Through this hearing, the committee hoped to develop information which would assist it in determining whether remedial legislation was needed to obtain a more candid disclosure of the purposes and objectives of solicitations conducted by Communist-oriented organizations in the United States for the benefit of foreign persons, parties, or interests. The committee was also considering the advisability of amending the Foreign Agents Registration Act of 1938 to extend the definition of the term "agent of a foreign principal" so as more effectively to accomplish the purposes of the act.

BACKGROUND OF THE VETERANS OF THE ABRAHAM LINCOLN BRIGADE

The Veterans of the Abraham Lincoln Brigade (VALB) has been cited as a Communist-front organization by the Special Committee on Un-American Activities in 1944 and by the permanent committee in 1946. In 1947, it was included on the U.S. Attorney General's list of "subversive and Communist" organizations. On December 21, 1955, after extensive hearings, the Subversive Activities Control Board found the VALB to be a Communist-front organization within the meaning of the Internal Security Act of 1950 and issued an order for it to register as such with the Attorney General. The order of the Board was upheld on December 17, 1963, by the Court of Appeals for the District of Columbia.

Spain was a highly important nation from the viewpoint of international communism in 1936. It was a West European nation in which a Communist Party actually participated in the government. In addition, its sphere of influence embraced Latin America. Communists thus considered Spain an instrument for countering United States influence and advancing communism in that area.

Following the outbreak of the Spanish Civil War in July 1936, the Communist Party of the United States, operating as a section of the Communist International, engaged in recruiting, equipping, and transporting about 3,000 Americans, the majority of whom were party members, to fight under Communist discipline on the Loyalist side in the civil war. They served in a so-called Abraham Lincoln Brigade in Spain.

The Veterans of the Abraham Lincoln Brigade was created in accordance with directives issued by the Politburo of the U.S. Communist Party, beginning in late 1937, in anticipation of the return of the American veterans from Spain. The directives grew out of a series of Politburo meetings attended by representatives of the Comintern, particularly Fred Brown of the staff of Gerhart Eisler, then chief Comintern representative in the United States.

The SACB found that the "principal objective and major purpose was for the VALB to be an integral part of the CPUSA apparatus, a dynamic, symbolic force to advance Marxism-Leninism and Communist influence in the United States, particularly by keeping alive the struggle for a Communist victory in Spain as the back door to Latin America and at the same time providing a young, vigorous group of men to carry out Party programs." [7]

Since its formation, the VALB has naturally concentrated its activities on matters related to Spain. Beyond this, however, it has undertaken numerous activities designed to further Communist objectives in other foreign policy areas and also with regard to domestic issues.

The VALB's Principal Officer

Moe (Mosess) Fishman, the sole witness in the committee's hearing of July 29, 1963, has been the executive secretary of the VALB since 1950. As such, he has been the organization's principal operating officer, handling its finances as well as most other organizational business.

During his testimony, Moe Fishman invoked the constitutional privilege afforded him under the fifth amendment more than 100 times in refusing to answer questions regarding past or present membership in the Communist Party, his official position in the VALB, the organizational structure and activities of the VALB, and other questions pertinent to the inquiry.

Mr. Fishman's membership in the Communist Party is a matter of public record. The *Daily Worker* of January 11, 1943, in an article entitled, "Chelsea Communists—Community Patriots," praised Mr. Fishman as a Spanish veteran and "chairman" of the West Side Village Club of the Communist Party in New York City. In its 1955 decision the Subversive Activities Control Board found that Fishman was one of the principal officials of the VALB who was concurrently a Communist Party "functionary." [8]

The VALB Campaign Exploiting Spanish Strikes

Preliminary investigation by the committee indicated that, under the guise of assisting "political prisoners" and "striking workers,"

[7] Subversive Activities Control Board, Docket No. 108–53, Report and Order, December 21, 1955, p. 21.
[8] Ibid., p. 33

the VALB had sought financial and other contributions from United States citizens for the purpose of assisting the Communist underground movement in Spain.

The January 24, 1963, issue of the *National Guardian* and the February 3, 1963, issue of *The Worker* carried identical advertisements in which the Veterans of the Abraham Lincoln Brigade appealed to the public on behalf of the "wives and children" of men then in prison in Spain "because they dared to take part in the great strikes of 1962." The ads urged readers to make these families their concern and declared that "it is natural that they should turn to us for help, because we've been helping Franco's prisoners and their families for years." The ads also provided a coupon to be mailed by readers desiring details and promised that the VALB would put the reader in "direct contact with a Spanish family." Those willing to contribute funds were advised to make checks payable to "M. Fishman, Secretary."

Mr. Fishman refused, on fifth amendment grounds, to answer any committee questions regarding his role in this VALB appeal.

Six letters which the VALB had mailed to persons who had responded to its advertisements—each one containing the name and address of a different Spanish family—were introduced in the hearing record. They were form letters on VALB stationery, signed by Moe Fishman. Each one advised the addressee to forward "good used clothing for men, women, and children" to the person in Spain whose name and address was typed at the bottom of the letter. The persons thus designated to receive such aid were: Teresa Carvajal de Andres, Matilde Morales Arcos, Encarnacion Nunez Velanos, Sofia Castro Martinez, Ana Hernandez Hernandez, and Eulogia del Castillo Villarrubia.

Committee counsel disclosed that all these individuals represented families of persons who had been imprisoned for Communist activities at various times since the Spanish Civil War. Only one of the six had a family member who was actually imprisoned during the strikes in Spain in the spring of 1962—and that individual had been imprisoned for activity in Communist cells as well as for strike activity.[9] Moreover, he had been released from prison 2 months before the VALB first advertised for aid to families of imprisoned Spanish strikers. All of the others had family members who had been imprisoned for Communist activity prior to the 1962 strikes. The husband of one had been released from jail 16 years earlier and was not even residing in Spain at the time of VALB activity in behalf of his family.

Information on Spanish Families Not Publicized by VALB

Teresa Carvajal de Andres is the wife of Angel Larroca Garcia, who served as a lieutenant in the Loyalist Army during the Spanish Civil War and was condemned to death because of his participation in the assassination of clergy in the Convent of Grinon at Toledo

[9] The Spanish Criminal Code provides that strikes by laborers (and combinations or conspiracies by management intended to paralyze work) are punishable as sedition. In addition, the Communist Party is outlawed in Spain; membership in it is punishable by prison terms of from 2 to 20 years; and sentences of 20 to 30 years can be given for aggravating circumstances such as an individual's participation in Communist "agitation" cells, in Communist conferences, or in the leadership of the party.

when returning from the siege of the Alcazar, His sentence was commuted to 30 years' imprisonment and later to 20 years. He was released in 1946. At the time the VALB ads were published Larroca was not even a residence of Spain, to say nothing of being a captive in one of its prisons. He was living and working legally in Germany.

Matilde Morales Arcos is the wife of Jose Cansinos Palma, detained in May 1962 for being an active member of the Communist Party in Spain in charge of Communist cells and working in the spring strikes of 1962. He was released from prison, however, on January 9, 1963.

Encarnacion Nunez Velanos is the wife of Ramon Martinez Martinez, convicted and imprisoned by Spanish authorities for Communist activities on July 5, 1960—long before the 1962 strikes. He is still in prison.

Sofia Castro Martinez is the wife of Rafael Lopez Barranco, imprisoned in July 1960—long before the 1962 strikes—for his activity in the local committee of the Communist Party in Spain. He was released on March 3, 1963.

Ana Hernandez Hernandez is the wife of Jose Barranco Escavia, imprisoned in April 1961—a year before the strikes—for a term of 5 years for being a member of the local committee of the Communist Party in Higueron.

Eulogia del Castillo Villarrubia is a widow. She was a militant Communist during the Spanish Civil War and was imprisoned at the war's end for participation in the desecration of the church in Casasbuenas and for the robbing and sacking of private homes. She was later released.

Her son, Alejandro Heredero del Castillo, was an active member of the Communist Party and president of the Armed Militia Committee on Casasbuenas during the civil war. He, too, was imprisoned after the war, but was released in 1946, whereupon he resumed Communist Party activities, acting as a liaison between the Communist guerrillas and the National Committee of the Communist Party in Spain. He is presently serving a 30-year prison term for his participation in the conspiracy which resulted in the explosion of the ammunition dumps of Alcala de Henares.[10] He was permitted to visit his mother, under guard, in Casasbuenas on March 15, 1963.

Investigation into the background of Ana Salvador Martin and Maria Paz Roda Zarabozo, two other persons in Spain proposed as recipients of relief in VALB letters, was not completed at the time of the hearing. The committee has since learned that:

Ana Salvador Martin is a widow who has been arrested on several occasions on charges of harboring Communist Party members sought by Spanish authorities. Her son, Gregorio Valero Salvador, has been in prison in Spain since 1944, when he was arrested for working in underground Communist Party activities.

Maria Paz Roda Zarabozo is the wife of Aladino Cuervo Rodriguez, a member of the Spanish Communist Party charged with being directly responsible for an underground organization operating in northern Spain. He has been in prison since February 1960. In 1937, during the Spanish Civil War, Senora Roda, then a child, was sent to live in the Soviet Union. She reportedly married her now im-

[10] Explosion occurred in September 1947 according to the *Encyclopedia Britannica, Book of the Year:* 1948 (events of 1947), p. 692.

prisoned Spanish Communist husband while living there. She returned to Spain in 1956

Fishman Denies Fraud

Mr. Fishman was questioned extensively regarding each Spanish family recommended for relief by the VALB. He took refuge in the first and fifth amendments when asked if he was the author of the form letters and if he had actually mailed them in response to inquiries received from readers of the VALB advertisements. He also declined to reveal the source from which the names of the Spanish families were obtained and the extent of his personal knowledge regarding the background of the families. Asked why he failed to indicate either in his advertisements or in his letters the fact that the intended recipients of aid were actually families of persons imprisoned because of Communist activities, Mr. Fishman again invoked the same constitutional privileges.

When committee counsel asked Mr. Fishman whether or not he was engaged in a fraud upon the public of the United States, the witness nevertheless responded, "No, definitely not."

Counsel asked Mr. Fishman whether it was a fact that the immediate objective of the VALB in its present fund-raising and other activities, is to assist in strengthening the Communist underground in Spain and, also to that end, to obtain the release of imprisoned Communists. In response to this question, Mr. Fishman stated that he had no such knowledge or belief.

Mr. Fishman further stated that he was unaware that high-ranking Communist Party officials have supported the Spanish Government's claim that the 1962 strikes in Spain were led and inspired by Communists. At this point, an article appearing in the January 1963 issue of *World Marxist Review*, an official organ of the world Communist movement, was introduced in evidence. The article, entitled "Communists on Trial in Spain," was written by Sebastian Sapirain, a member of the Central Commitee of the Communist Party of Spain.

Sapirain wrote, in part:

> Last spring Spain saw one of the biggest strike movements in the history of the working class of our country. The strikes * * * embraced some 26 provinces * * *. Although at first a struggle for wage demands, the political character of the strikes soon became apparent.

Then, referring to the scale of the strikes, Sapirain said:

> This is mainly due to the persevering work conducted by the Communist Party.

In the article, Sapirain quoted with approval a statement made by Ramon Ormazabal Tife [incorrectly spelled "Tito" by Sapirain], a member of the Central Committee of the Communist Party of Spain, when the latter was arrested on June 14, 1962, in Biscay, together with several other Communists. Ramon Ormazabal Tife stated:

> I declare that the Communist Party assumes the responsibility for the recent big strikes in Euzkadi * * * and throughout Spain.

Some of Mr. Fishman's Past Activities

Mr. Fishman invoked the first and fifth amendments when the committee asked him whether he had ever been in Spain and whether he served in the International Brigade in the Spanish Civil War from 1937 to 1938.

A copy of Mr. Fishman's passport application, dated March 31, 1937, was introduced in evidence. According to that application, Mr. Fishman swore that he intended to use a U.S. passport for 3 months for the purpose of visiting relatives in England, France, and Poland. Appended to the application was an affidavit signed by Mr. Fishman which certified that he did not intend to use his passport for travel to Spain.

Mr. Fishman, when questioned by the committee, declined to state whether, at the time he swore to the application, he actually intended to travel to Spain to serve the Communist cause in the International Brigade, rather than to visit relatives in other countries.

Mr. Fishman was shown a copy of another passport application, dated March 16, 1961, bearing the signature of Mosess Fishman, together with an attached statement signed by the witness. Mr. Fishman's statement appended to his application stated:

> I fought in the International Brigade which was part of the Spanish Republican Army for parts of 1937 and 1938 but I did not take an oath of allegiance to the Spanish Government nor did I participate in their electoral activities or elections.

The witness refused to affirm or deny that he was the Mosess Fishman who had signed the 1961 passport application and the statement attached thereto, or that he had falsely certified on his application the purpose and place of his intended visit, as revealed in an article entitled "The Abraham Lincoln Brigade Revisited," written by Brock Brower and published in the March 1962 issue of *Esquire* magazine.

This article, based on an interview with Moe Fishman, reported that Fishman had told Brower that in 1961 he had actually traveled to Communist East Germany to attend the meeting of the Anti-Fascist Committee of the East German Democratic Republic. He reportedly met some of his associates from the International Brigade during this visit and heard repeated in German the farewell speech to the International Brigades originally given in Spanish by "La Pasionaria" (Dolores Ibarruri, a member of the Central Committee of the Spanish Communist Party) at the close of the Spanish Civil War.

Brock Brower had also quoted the witness as making the following statement with respect to the VALB:

> I'm the organization. There's no other thing. If there's something to decide, I talk it over with the guys, and then decide what I'm going to do. Cockeyed, but that's the way it is.

Although he first denied having any communication with "La Pasionaria" since 1961, he subsequently invoked his constitutional privileges when asked by the committee whether he had corresponded with her to solicit a message she had sent to a VALB rally held in New York City in the spring of 1962.

Committee counsel asked Mr. Fishman if in 1946, while he was in charge of a warehouse of the Joint Anti-Fascist Refugee Committee, he had helped divert to the Spanish Communist underground clothing and other items collected by JAFRC ostensibly for the relief of needy persons in Spain. In its report and order on the VALB, the Subversive Activities Control Board made reference to testimony from an individual who had "assisted Moe Fishman in packing materials and supplies which ostensibly were going to those suffering in Spain from Franco's regime but which were actually being sent to the Communist underground in Spain."

According to the SACB report, Fishman had "stated this aid was necessary because the underground was at that time increasing its activities and greatly needed supplies."

Mr. Fishman refused to discuss with the committee his role with the Joint Anti-Fascist Refugee Committee, but denied the existence of "any fraud" in connection with JAFRC's collection activities.

Testimony Referred to Department of Justice

The Veterans of the Abraham Lincoln Brigade has perpetrated a cruel deception upon the American public by promoting "relief" for families of imprisoned Spanish strikers and then sending to those generous enough to respond to its advertisements the names of families whose troubles with the Spanish law stem from Communist rather than labor activities.

The past activities of the Veterans of the Abraham Lincoln Brigade and its executive secretary, Moe Fishman, in behalf of communism lead the committee to conclude that the basic purpose of their newest project is to strengthen the Communist underground movement in Spain.

Communists perpetually seek to advance their objectives by cloaking themselves with a false mantle of humanitarianism. The committee believes that in this instance, however, the "front" for the Communist Party known as the Veterans of the Abraham Lincoln Brigade may have put itself into the position of violating Federal statutes against mail fraud and other types of fraudulent representations (specifically sections 1001 and 1341 of Title 18 of the United States Code).

The committee has accordingly forwarded to the Department of Justice the testimony of Mosess Fishman and other evidence it has gathered for such action as may be appropriate after a review of the case by that agency.

DEFECTION OF A RUSSIAN SEAMAN

(Testimony of Vladislaw Stepanovich Tarasov)

The Committee on Un-American Activities met in public session on September 19, 1963, in Washington, D.C., to hear firsthand the reasons Vladislaw Stepanovich Tarasov, a Russian seaman, swam to freedom in the harbor at Calcutta, India, in November 1962.

Tarasov was born in the Ukranian Republic of the Soviet Union on June 25, 1938. In 1954, after completing 7 years of general schooling, he joined the Komsomol (Young Communist League) because he wanted to continue his education. Most of the better, advanced schools were all but closed to young people who did not belong to the Kom-

somol. Despite Tarasov's one-time membership in the Komsomol, however, he never actually became a member of the Communist Party of the Soviet Union.

In 1956, at the conclusion of 2 years' training at a nautical school in Yenotayevsk, Tarasov began working as a crewman on Soviet fishing vessels in the Caspian Sea. He soon began to doubt the economic advantages of being employed in a Communist state when he realized that his pay, because of the state-manipulated wage-price structure in the U.S.S.R., represented less buying power than that received by seamen who had performed the same duties 4 and 6 years earlier.

Young Tarasov also learned about the Russian seamen's unnecessary exposure to danger because everything in the Soviet Union has to be done according to top-echelon Communist planning. Ships in the Caspian fishing fleet were forced to go to sea at fixed times, regardless of their state of repair. A captain of an unseaworthy ship would have lost his position if he had refused to sail when scheduled to do so by the plan "from above." Tarasov learned that the Soviet Union loses about 10 vessels a year in the Caspian Sea because of neglected maintenance and unsafe navigation procedures.

The seamen's union, like everything else in the Soviet Union, is controlled by the Communist Party and cannot protect or promote the interests of Russian sailors. Rather, the union serves as a vehicle by which the Communist Party imposes its will upon the seamen. On one occassion when Tarasov protested conditions on his ship, he was transferred to a much less desirable job on a different vessel.

From 1959 to 1962, Tarasov studied electro-mechanical energy at the Kherson Nautical School. During this period he married and became the father of a son. He was not able to obtain an apartment for his family, however, so he stayed at the school during the week and visited his wife and child at her parents' overcrowded dwelling on weekends.

In 1961 and 1962, Tarasov began listening to Voice of America broadcasts and reading copies of *America*, the U.S. magazine which is distributed in the Soviet Union under a cultural exchange agreement. From these sources and Russian translations of certain American books, he became convinced that the United States offered freedom and opportunity to the individual.

Also in 1962, Tarasov returned to sea duty on an oceangoing tanker. He had already given much thought to the possibility of defecting to the free world if the opportunity arose, but it was not without certain reservations. He had been told that Soviet defectors experienced unfriendly receptions and extreme hardships in the West. He was also concerned about countermeasures that might be taken against his relatives if he defected. He reasoned that this latter concern was groundless, however, because he had left his parents' home in 1954 and had never had a normally close family relationship with his wife and child. Thus, he did not believe Soviet authorities would hold his relatives accountable for his actions.

Tarasov put all reservations about defecting out of his mind once and for all after having an ominous run-in with a political commissar at sea.

A political commissar, who is always a Communist Party member, is assigned to every Soviet ship to keep an eye on crew members and indoctrinate them with party propaganda. Tarasov, during his voyage

to India in late 1962, had utilized every conceivable excuse to avoid attending the boring, but compulsory, political meetings conducted aboard the tanker by the commissar. When Tarasov returned to his ship's quarters on one occasion, he found the political commissar rummaging through his personal effects, including notes he had written. The intruder said he now understood why Tarasov had missed so many political meetings and implied that he would never again be permitted to engage in foreign travel on Soviet ships. Tarasov realized he would have to escape when the tanker arrived in India, or probably forfeit the opportunity to do so forever.

On the night of November 25, 1962, when the Russian tanker was anchored in the harbor at Calcutta, Tarasov escaped through a porthole and swam to a nearby American ship. He asked the captain of the American ship for asylum.

In an attempt to prevent his defection, the Soviet consul in Calcutta falsely accused Tarasov of having stolen 700 rubles immediately before escaping from the tanker and appealed to Indian authorities to arrest and hold him for extradiction to the U.S.S.R. On November 28, 1962, Indian authorities boarded the American ship and arrested the defector after Soviet officials had promised to produce witnesses to the alleged theft. Tarasov was held in a Calcutta jail.

The Soviet authorities, realizing that theft in Indian territorial waters was not a ground for extradition, later dropped the charge. Accordingly, the prisoner was released on January 10, 1963. He was immediately rearrested, however, on a new Soviet charge that he had committed the alleged robbery aboard the Russian tanker while it was in international waters. Again, Soviet officials promised to produce evidence in support of the charges against Tarasov.

When the Soviets not only failed to satisfy an Indian court that Tarasov was guilty of their charges, but other evidence convinced the court that documents introduced as evidence against Tarasov by Soviet authorities were fabricated, he was released permanently.

After a thorough screening by U.S. security officers, Tarasov was permitted to come to the United States where he hopes eventually to become a citizen.

Vladislaw Tarasov also made the following interesting observations when he appeared before the Committee on Un-American Activities:

1. Churches are permitted to function in the Soviet Union, although they are attended mostly by older persons in rural parts of the nation.

2. Most of the crimes that occur in the Soviet Union are not reported in the Soviet press.

3. Privileges enjoyed by its members, not ideology, are what attract most people to the Communist Party in the Soviet Union.

4. There is widespread unhappiness among the Russian people concerning constant pressure exerted upon them by the Communist apparatus, which appears to exist for no other purpose than to exert such pressure.

5. Many, many Russians would like to defect to the West, but few of them ever have the opportunity to do so.

CHAPTER III

REPORTS COMPILED TO ASSIST THE CONGRESS IN ITS LEGISLATIVE DELIBERATIONS

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Communists have inaugurated new security measures to prevent disclosure of their connections with the Communist Party. At the same time they have intensified their efforts to infiltrate legitimate, non-Communist organizations, the committee warned in a report released July 31, 1963.

The committee report, titled "'United Front' Technique of the Southern California District of the Communist Party," presented facts derived from extensive investigations and executive hearings conducted by the committee in the southern California area during the preceding year. Related testimony of 29 witnesses who had been interrogated in the closed committee sessions was made public at the time the report was issued.

Part of what the Communists call their "united front" work is their infiltration of community organizations, focusing on political and religious groups as well as others, in order to develop Communist influence among the non-Communist members to the point where the entire organization is persuaded to pursue policies and activities serving Communist objectives. The report revealed that intensified efforts along this line had been ordered by the national leadership of the Communist Party, U.S.A., which had taken its cue, in turn, from pronouncements of Soviet dictator Nikita Khrushchev.

New subterfuges to provide more effective concealment of Communist Party operations were adopted following a decision by the United States Supreme Court on June 5, 1961, upholding a Subversive Activities Control Board order that the Communist Party register with the U.S. Attorney General. The Court decision rendered the Communist Party liable to criminal penalties under the Internal Security Act if it failed to file a registration statement, including the identity of the party's officers and members. It also paved the way for Justice Department enforcement of other sections of the Internal Security Act which require party officers to register the required data with the Attorney General if the party organization itself fails to comply with the law, and individual members to register themselves if the party and officers fail to do so.

The Communist Party has adamantly refused to comply with any provisions of the statute, which is aimed at disclosure of party activities in the United States rather than outright prohibition of them. The committee report noted the irony in the fact that Communist responses to enforcement of the disclosure statute have included a Communist Party effort to bury its organizational apparatus deeper "underground."

The committee observed that there is every reason to believe that the new security measures adopted in the Southern California District had been concurrently introduced in the party apparatus throughout the Nation. It also noted that, since Communists everywhere in this country are under instructions to make "united front" work their No. 1 task, its revelations of how Communists in the southern California area have intensified their work within non-Communist groups, while operating from increasingly concealed party positions, should be instructive to all concerned with the problem of Communist subversion within the United States.

In the Southern California District of the Communist Party, party security was strengthened by dissolution of the 30-member district committee and the 10-man district executive committee which had supervised party operations in California's nine southernmost counties. The 20 subordinate "section" organizations of the party (and their corresponding section officers) were also eliminated. These measures drastically reduced the number of party conferences being held and also technically freed many party members from their responsibilities as district and section leaders.

To facilitate uninterrupted party functioning under the new security arrangements, four of the district executive board members were designated to carry on the supervisory role of the board "unofficially." Coordinating councils were created to fill the void existing between rank-and-file Communists and their district leaders as a result of the dissolution of the intermediate "section" organizations. A coordinating council, the committee found, was composed of the chairmen of four Communist Party clubs who met irregularly with a district official of the party, such as Executive Secretary Ben Dobbs. Dobbs, meanwhile, ceased advertising his specific leadership position and frequently referred to himself by the vague term, "Marxist."

The application of "united front" techniques by southern California Communists was traced back to the 17th National Convention of the Communist Party, held in New York City in December 1959. The main resolution of that convention, declaring united front work the "main task" for Communists, was echoed by Southern California District Communist functionaries assembled in a district convention the following month, January 1960. Methods of achieving "united front" relationships with non-Communists and other party objectives were discussed in numerous party documents circulated at sessions of the Southern California District convention. Copies of these documents, encompassing more than 130 printed pages, were obtained by the committee and reproduced in an appendix to the committee's report.

Party leaders had issued detailed instructions to party members on how to proceed after becoming part of "organizations of the people, in unions or in communities." Communists were told to try to win reputations as good fighters for the programs of the organizations, and then to induce the organization to take action in behalf of certain issues. When the opportunity presented itself, Communists were also expected to promote the Communist viewpoint on various subjects and also to recruit new members and sympathizers for the party.

The committee report quoted from speeches, reports, and resolutions of the Southern California District convention to demonstrate the broad range of organizations designated as targets for Communist

infiltrators. These documents made specific reference to trade unions, particularly AFL–CIO unions; political parties (in which category Democratic clubs and organizations of Young Democrats received repeated emphasis); churches and church groups; youth organizations; Jewish community organizations and associations formed by various nationality groups; organizations dealing with racial and civil rights problems; pacifist and peace organizations; and even competing Marxist groups.

Committee investigations disclosed that, under prodding from the party's national leadership, Communist infiltration of local "peace" organizations had been stepped up to the point where such groups constituted one of the principal targets of current Communist "united front" operations. The report stated that the vigor with which Communists have gone all out in exploiting "peace" issues was demonstrated by their support of two groups formed in Los Angeles in the fall of 1961—Women Strike for Peace and Help Establish Lasting Peace (HELP). Photographs of local Communists participating in picket lines organized by WSP and HELP were reproduced in the committee report, which warned that this evidence of Communist efforts to attach themselves to the organizations should not, in itself, be construed as a finding that either of the peace groups operated as a Communist-front organization.

One section of the report described Communist Party strategy toward youth. It listed various issues on which Communists were instructed to agitate in order to appeal to young people. In addition to penetrating non-Communist youth organizations, young Communists in the southern California area were active in a number of left-wing youth organizations, which the party expected would produce young recruits for the Communist movement.

The committee report detailed the results of its investigations into a number of such youth organizations: the Independent Student Union, which functioned in Los Angeles from early 1960 until early 1962; the Los Angeles Co-ordinating Committee for New Horizons for Youth; Los Angeles Progressive Youth Organizing Committee; and the Walter Reception Committee, all of which functioned for relatively brief periods in 1961 or 1962; also the avowedly Marxist-oriented Los Angeles Youth for Peace and Socialism, the most recently created group, which made its public appearance in April 1962.

The committee declared that the last-named organization was one of a growing number of openly leftist youth groups whose formation had been encouraged by the Communist Party's national youth director. The committee also reported that the Communist Party has already gained a number of new recruits from the ranks of Los Angeles Youth for Peace and Socialism.

The Communist Party had actually created and completely controlled another youth organization functioning in the period 1961–62 under the name "Los Angeles Festival Committee," according to the report. The main function of this Communist enterprise was the recruitment of delegates to the Communist-dominated Eighth World Youth Festival held in Helsinki, Finland, July 29–August 6, 1962.

The activities of several Communist-controlled front organizations aimed at enlisting support from non-Communist adults in the Los Angeles area were also described in the committee's report. The Constitutional Liberties Information Center, for example, which had

been formed in Los Angeles in 1961, was shown to be a facade for "propaganda and fund-raising activities on behalf of the Communist Party" and to have been managed continuously by "individuals with records of activity in the Communist Party itself." The propaganda line of CLIC focused on opposition to prosecution of Communists for refusing to comply with the Internal Security Act and on demands for repeal of this law and the Smith Act.

The most recent campaigns conducted by the Los Angeles Committee for Protection of Foreign Born were also set forth in the committee report, which deplored the fact that the organization continued to do a thriving business in fighting deportations of alien Communists and lobbying against legislation in the same field, despite repeated findings by Federal agencies that it operates as a front for the Communist Party, U.S.A.

Many of the top officials of the Southern California District of the Communist Party were named in the committee's report, which also identified many lesser Communist Party personalities in the course of describing their functions during or after the district convention held November 20, 1959, and January 31, 1960. Many of these individuals had been interrogated by the committee during its executive hearings in Los Angeles April 24–27, 1962, at which time they invariably invoked the fifth amendment rather than respond to committee questions regarding Communist Party activity.

The committee report also drew attention to evidence, based on the district convention proceedings, that Communist officials gathered at local conventions are not actually trusted to make policy decisions and cannot even freely select their own representatives to higher party bodies which deal with policy matters. Party documents were quoted showing that a district convention was a rubber-stamp assembly, limited to discussing how to best carry out policies imposed by the national party hierarchy.

The committee also noted that certain internal party disputes, aired at the convention, were settled arbitrarily in keeping with the totalitarian, Soviet-style form of the party's organization. One dispute had involved the right of district party personnel to vote in local convention for their representatives on the party's national committee. Ignoring protests from local party organizations, the national leadership had transferred all elections to national office to national party conventions, whose proceedings are closely controlled by a clique of national leaders.

Highhanded treatment of local Communists by the party's national leadership was also demonstrated in the report's account of disputes regarding the type of news to be reported in the West Coast Communist newspaper, the *People's World*, and regarding changes in the Communist Party line on the subject of the Negro population of the United States.

WORLD COMMUNIST MOVEMENT: SELECTIVE CHRONOLOGY 1818–1957

Volume II, 1946–1950

This documented reference volume, published by the committee as the second of a series, traces important developments in the World Communist Movement during the critical postwar period 1946–1950.

Representative Edwin E. Willis, committee chairman, stated in the foreword to Volume II of the chronology:

> We must face the fact that many more people dream of world conquest today than did in the days of Caesar, Genghis Khan, Napoleon—or even Stalin. These people are organized in the World Communist Movement, with affiliated Communist parties in over 90 nations. Khrushchev claims a formal membership of 40 million persons in this international conspiratorial organization. Many, many more millions are fellow travelers, sympathizers, and collaborators with the movement.
>
> These are the people who are today trying to destroy all free governments and impose on the entire world a so-called dictatorship of the proletariat. Backed by the political, economic, and military might of the 20-or-so nations they control, they obviously comprise a formidable force and a very real threat to freedom everywhere.
>
> * * * * *
>
> The facts—what the Communists have been saying and doing for the past 100 years—must be readily available to our leaders and policymakers, both in and out of Government. This is the basic, minimum knowledge required for victory. And this, basically, is why the Committee on Un-American Activities has undertaken the publication of this chronology of the World Communist Movement.
>
> In capsule form, as succinctly as possible, it gives the needed facts about communism from its beginnings to the present time. Past Communist actions and statements make clear the goals of communism, its strategy and tactics. Past Communist actions and statements are also important clues to present and future Communist policy and strategy.
>
> "What is past is prologue." What the Communists have been and done, and what they are and are doing today, is prologue to what they will be and do tomorrow. For this reason, the committee believes that the chronology will be an invaluable reference work to Members of the Congress and to all those, in and out of Government, who will play a part in determining whether communism or freedom will prevail.

The chronology does not purport to be a definitive work on the subject of Communist history. Its brief references to Soviet and other Communist activities in the past are intended to remind Americans of truths about communism they cannot afford to forget and to stimulate further study of the events described. The chronology discloses the strategy and tactics of numerous Communist parties operating within and without the Sino-Soviet bloc, reveals their changeable membership figures, and records their advances and setbacks in the immediate postwar period.

The chronology demonstrates how often the aggressive policies dictated from the Soviet Union by Joseph Stalin brought Communist forces into violent conflict with the forces of freedom in all parts of the globe. The reference work recalls the Communist takeover of Hungary, Czechoslovakia, and Poland (as well as the subsequent

course of those nations as Soviet satellites). It reminds one of the Communist guerrilla warfare which plagued Greece, as well as Indochina, Indonesia, Burma, Malaya, and the Philippine Islands during the immediate post-World War II years—armed struggles which culminated in this period in the North Korean invasion of South Korea in June of 1950 and the entrance of Chinese Communist "volunteers" into the conflict. Meanwhile, the declaration by the Chinese Communists of a "People's Republic" on the China mainland in October 1949, several months prior to a definitive victory over Chinese Nationalist forces, signified a substantial advance toward the Communists' goal of subjugating all of the peoples of this earth.

At this time, Communists employed a wide range of strategy and tactics in an effort to seize power throughout the world. In addition to armed struggles, the chronology records their efforts to bring about the collapse of non-Communist governments in France, Italy, and various Latin American countries by instigating general strikes and other violent mass demonstrations. The infamous blockade of Berlin in the years 1948–1949, was another attempt to break down the resistance of the free world, short of war.

Disclosures of Soviet espionage efforts were numerous in the immediate postwar years, beginning in 1946 with investigations by a Canadian commission into Soviet espionage efforts in Canada and the conviction of Canadian Communist, Fred Rose, that same year for his participation in such spy activity.

An interim report released by the Committee on Un-American Activities in August 1948 summarized testimony disclosing how Communist espionage activities had involved highly placed individuals in the United States Government. The report concluded:

> It is now definitely established that during the late war and since then, there have been numerous Communist espionage rings at work in our executive agencies which have worked with and through the American Communist Party and its agents to relay to Russia vital information essential to our national defense and security. Russian Communists have worked hand in hand with American Communists in these espionage activities.

The public learned of the dual role played by Alger Hiss as a State Department official and member of an underground Communist cell and by other Government employees in similar "cells." These were followed by revelations of the spy role of British atomic scientist, Klaus Fuchs, and of additional American espionage agents such as David Greenglass and Harry Gold—all of whom received prison sentences for their traitorous activities.

The Communists' unremitting propaganda activities are also dealt with in the chronology, which recounts their efforts in behalf of a worldwide campaign of "peace" propaganda at the very time when Communists were taking up arms in country after country contrary to their own peace slogans.

Statements by American Communists echoing the prevailing Moscow line that the United States Government was pursuing a course of aggression and war against an allegedly peace-loving socialist camp of nations are quoted in the chronology. That the American Government and public refused to be persuaded by the party's professions of

loyal and peaceful intentions was illustrated by the conviction of the party's highest national officers in 1949 for conspiracy to violate Smith Act provisions against forceful overthrow of the Government.

Attention is also drawn to testimony by FBI Director J. Edgar Hoover before a Senate Subcommittee on Appropriations in February 1950, to the effect that the Communist Party of the United States could then rely on 54,174 enrolled members and 10 times that many sympathizers. Mr. Hoover had also disclosed that 48 percent of the party's membership had infiltrated this Nation's basic industries, where they were in a favorable position for sabotage of our defense efforts in a time of national emergency.

Volume I of the chronology had covered developments in the World Communist Movement from 1818 to 1945, inclusive. This second volume traces major events from 1946 through 1950. Subsequent volumes will cover the movement through the end of 1957. An index to the entire chronology will be published by the committee at the completion of the series.

Both the chronology and index were prepared by Dr. Joseph G. Whelan, analyst in Soviet and East European Affairs, Foreign Affairs Division, Legislative Reference Service, Library of Congress, in consultation with Dr. Sergius Yakobson, senior specialist in Russian Affairs of the Library's Legislative Reference Service, and with the research staff of the Committee on Un-American Activities.

36-584—64——8

CHAPTER IV

CONSULTATION

A COMMUNIST IN A "WORKERS' PARADISE"

(John Santo's Own Story)

On March 1, 4, and 5, 1963, the Committee on Un-American Activities conducted a staff consultation with John Santo, a native Hungarian, who had been a Communist in both the United States and in Hungary for a total of 28 years. He was a militant, frontline Communist in the United States from 1928 until 1949.

Born on May 13, 1908, in Hungary, Santo graduated from a Hungarian commercial high school in 1927. In the fall of that year he came to the United States for the purpose of furthering his education. The following year he joined the Communist Party.

During the next 20 years, Santo was a prominent Communist activist, serving in various important party assignments, including those of section organizer in the borough of the Bronx of the city of New York, member of the District Bureau of the State Committee of the Ohio District, and member of the Trade Union Commission for the State of New York. He was also general secretary of the Transport Workers Union of America (CIO), a major labor union then largely controlled by the Communist conspiracy, and served as its national director from 1934 to 1948.

Santo left the United States under a deportation order in June 1949 and accepted an invitation of the Hungarian Communist government and the Hungarian Workers' (Communist) Party to return to his homeland. His stay there, however, was disappointing. Completely disillusioned with communism and particularly life in Communist Hungary, Santo fled that country during the aftermath of the Hungarian revolution of October 1956 and sought temporary asylum in Austria. Upon arriving in Vienna, Santo applied for entry to the United States, claiming that he had abandoned and abjured the Communist cause. After convincing U.S. Government officials of his sincerity and trustworthiness, Santo was admitted to the United States in January 1963 by the Attorney General under provisions of the so-called Fair Share Act of July 14, 1960.

Santo was a zealous, hard-core party member. According to his own testimony:

> Like many other Communists in the United States, I was considered by the Communist Party of the United States—and also considered myself—a professional revolutionary, one who dedicated his life to the overthrow of the capitalistic system of society and government, establishing in its stead a society based on the collective, state ownership of all the means of production under the leadership and guidance of the vanguard of the working class—the Communist Party.

It took the Federal Government almost a decade to deport Santo. In 1941 he was charged with being an alien residing illegally in this country and engaging in subversive activity designed to contribute to the overthrow of the Government. The fight the Communist Party and Santo carried on against the attempt of the U.S. Government to deport him is reflected in hundreds of pages of legal records, as well as in reams of Communist propaganda. The Communist Party, aided by the American Committee for Protection of Foreign Born and Santo himself, used the constitutional due process of law to its limits. The "John Santo Defense Committee," organized by the Communist Party, collected upward of $100,000 to prevent Santo's deportation.

The first warrant of arrest in Santo's case was issued on October 7, 1941, and deportation hearings commenced the very next day. Evidence introduced in the proceedings established that he had been an active member of the Communist Party since at least 1932 and closely associated with Communist-dominated organizations since 1928. A series of long-drawn-out proceedings and appeals was finally completed with the issuance of a final warrant of deportation on October 11, 1948.

Beginning in 1947, Santo received numerous messages from Hungary inviting him to return to that country. These messages advised him to visit the Ambassador of the Hungarian People's Republic, Endre Sik, in Washington, D.C. While visiting Ambassador Sik in the spring of 1949, Santo received confirmation from the Ambassador that his return to Hungary would be both welcomed and desired. However, Ambassador Sik advised Santo to secure the approval of the American Communist Party leadership prior to traveling to Hungary.

Permission to return to Hungary was gained through the person of Joseph Peters,[1] then a member of the staff of the Central Committee of the Communist Party of the United States. Through Peters, Santo applied for a decision of the Secretariat of the Central Committee of the American Communist Party. Several days later, Peters told Santo that his travel was approved and invited him to a party to be held in a private home in the Bronx, where leading Hungarian-American Communists—Louis Weinstock,[2] James Lustig,[3] John Lau-

---

[1] When Whittaker Chambers testified before the committee in August 1948 and revealed his own associations with a Communist underground apparatus within Government agencies in Washington, D.C., during the period 1934–37, he identified J. Peters as his superior and the "head of the underground section" of the Communist Party of the United States. Chambers said it was Peters who had assigned him to liaison and other duties with the party's underground in the Nation's Capital and had introduced him to Alger Hiss and other Communists working in the Federal Government.

A man of many aliases, Peters was born Alexander Goldberger in Hungary. In the late 1920's he held responsible posts on a number of Communist publications in the United States and eventually became a national party functionary. He was the author of *The Communist Party—A Manual on Organization,* which served as a basic tool for Communist organizers after its publication in 1935. Peters was interrogated by this committee on Aug. 30, 1948, but refused to answer pertinent questions on grounds of possible self-incrimination. When faced with the prospects of being deported, he departed from the United States voluntarily in 1949.

[2] Louis Weinstock was, for many years, a key officer of the AFL Painters Union. He has also served on the Communist Party's National Board and has been known as "Mr. May Day" because, for years, he organized its May Day celebrations in New York City. He was tried, convicted, and served a 3-year sentence for violation of the Smith Act. He preceded James Lustig as business manager of the *Daily Worker,* being appointed to the post in February 1960, and also replaced Lustig in this position when Lustig resigned in the fall of 1962. Weinstock is 1 of 10 top U.S. Communist Party leaders against whom proceedings have recently been held by the Subversive Activities Control Board for the purpose of compelling registration under the Internal Security Act of 1950.

[3] James Lustig was born in Budapest, Hungary, in 1902, came to the United States in 1921, and became a citizen in 1928. In 1931 he ran for alderman in Bronx, N.Y., on the Communist Party ticket. Lustig was, for many years, a top official of District 4 of the Communist-controlled United Electrical, Radio and Machine Workers of America (UE). In 1961 and 1962 he served as business manager of the official Communist Party news-

tner,[4] and their wives, together with Ambassador Sik, would be present. During the party, Ambassador Sik presented Santo a Hungarian passport into which the Ambassador inserted Santo's photograph and affixed his official seal. The Hungarian Ambassador then placed his signature on the visa, thereby fully validating Santo's travel documents for return to Hungary.

Santo left the United States on June 10, 1949, and traveled to Amsterdam by steamship. He then flew to Prague where he took a flight directly to Budapest. Upon arriving in Budapest, Santo was met by Moses Simon, a Hungarian Communist, whose name was given to Santo by the aforementioned J. Peters as Santo's initial contact in Hungary. Simon had previously resided for a time in the United States and had returned to Hungary following the close of World War II. In addition to receiving a post of importance in Budapest, Simon was unofficially assigned as the guide and host of American Communist visitors to Hungary.

Among various Communist officials introduced to Santo were Antal Apro, general secretary of the Hungarian Trade Union Center, and Karoly Kiss, chairman of the Control Commission of the Hungarian Communist Party. Antal Apro expressed his desire to place Santo in the Hungarian trade union movement doing anti-American propaganda work through the medium of trade union journals. Subsequent to numerous detailed discussions with Karoly Kiss regarding Santo's past history, Santo was admitted into the Communist Party of Hungary, officially designated as the Hungarian Workers' Party. It is interesting to note that, in accepting Santo as a member, the Hungarian Communist Party recognized his 21-year membership in the American Communist Party.

Despite his anxiety to secure employment, Santo had not been offered a job by early fall of 1949. In an effort to alleviate his predicament, he wrote directly to Matyas Rakosi, general secretary of the Hungarian Workers' Party. Santo called attention to the fact that, having recently returned to Hungary, he was still in an unemployed status. Rakosi immediately summoned Santo to his office, where a lengthy interview took place. According to Santo's testimony, Rakosi "displayed an amazing knowledge of the leading political figures in the United States and a superior knowledge of the leading personalities in the American trade union movement."

Rakosi was chiefly interested in Santo's personal opinions, particularly Santo's feelings regarding certain American Hungarian Communists whom Rakosi characterized as being undercover agents of the FBI. However, Rakosi's accusations against these Communists were, for the most part, insincere. It was merely Rakosi's way of testing Santo's knowledge and wisdom. During the interview, Rakosi brought up the case of Laszlo Rajk, Minister of Interior and assistant general secretary of the Hungarian Workers' Party, who was accused of plotting to murder key officials of the party, including Rakosi himself. Rajk and certain other Hungarian leaders were subse-

---

paper, *The Worker*. Several times identified as a member of the Communist Party by witnesses who have testified before this committee, Lustig has served a prison term for contempt of Congress, growing out of his appearance before this committee in 1946.

[4] John Lautner broke with the Communist Party in 1950 and has since been a Government witness in a number of Smith Act trials and other security proceedings, in addition to testifying before this committee. Lautner held various important posts in the party prior to his break, including that of head of the New York State Control or Review Commission.

quently executed after a "trial" at which all "confessed" to their part for committing alleged crimes against the Rakosi regime.

Within a month or two following his interview with Rakosi, Santo was assigned by the Hungarian Workers' Party to a position in the Ministry of Light Industry. As a result of various organizational changes made in that Ministry, Santo was appointed chief of the Division of Meat Industry of the newly formed Ministry of Food. Santo held this position from 1953 until his defection from Hungary in 1956. He testified that "every position and every job, down to the lowest," in Hungary was controlled by the Hungarian Communist Party.

Santo provided the committee with significant information regarding the economic situation in Hungary during the late 1940's and early 1950's. In April 1949, when the first 5-year plan for economic development was instituted, 80 percent of the Hungarian industry and commerce was nationalized. Santo attended a secret Communist meeting on December 30, 1949, at which Erno Gero, a top official of the Hungarian Communist Party, announced the decision of the central committee of the party to move the Hungarian economy to a higher stage through the nationalization of all enterprises employing over 10 people, thereby raising the socialized sector of the economy to 90 percent. In describing this rally and the events that followed, Santo stated:

> The meeting had all the earmarks of a putsch, inasmuch as Gero denounced these small storekeepers and artisans as being the most nefarious enemies of socialism, who were responsible for black marketeering, speculation, and whose activity endangered the value of the forint, unit of Hungarian currency.
>
> The bloodthirsty tone, reminding one of the leader of a lynch mob, made a very peculiar impression upon me, who expected and had previously experienced at important party gatherings in the United States a sober, unemotional, businesslike tone, only to find myself before the speaker of the evening, who not only screeched and ranted, but actually did an Indian dance.
>
> I couldn't help but think that Comrade Gero was the son of the owner of a textile factory, similarly, all other top Hungarian Communist leaders came from bourgeois families, Rakosi himself being the son of a grocer.
>
> Evidently through the person of Gero they were declaring war to the death on that social stratum from which they sprang.
>
> After his report, the machine went into operation and some thousands of those present were given slips with names and addresses of enterprises which were nationalized and of which the holder of that particular paper became the director.
>
> The whole operation was motorized, and within minutes everybody was on their way, in the darkness of the evening and in the night. In Budapest immediately, and in the provinces in a few hours, the new directors assumed their prerogative as agents of the government and operators of that particular enterprise.

In the meat industry, as the subsequent days proved through the move, all private enterprise * * * were taken into state possession. * * *

The owner was given a piece of paper which entitled him to compensation for the expropriated property. Actually, however, I don't remember one instance of anybody getting a red cent for all that was taken from him.

As a matter of fact, within a few days, the Treasury Department went to work examining every such nationalized shop or store, and through the medium of back taxes and penalties for failure of appropriate taxes—the "right" amount of taxes—the personal individual property, clothing, and furniture of those involved was taken away from them.

* * * * *

As far as benefits and advantages are concerned from this last major stop in nationalization, perhaps it looked good on paper reports rendered to Moscow, that as far as industry and trade were concerned, they were a hundred percent state owned, and the leaders of the Hungarian Communists have again proved long before the other satellites did so that they were the most aggressive copiers of the Soviet Union.

As the first 5-year plan developed, cheating and thievery became everyday occurrences in practically all segments of Hungarian society. Despite the number of arrests which took place among the workers, it continued unabated. According to the witness, thievery slowly reached the higher ranks, including factory directors and division chiefs. Moreover, due to excessive governmental production quotas imposed upon the Ministry of Food, as well as other industries, shortcuts, deceptions, and tricks were resorted to in a concerted effort to meet these demands.

Santo indicated that the trade unions in Hungary had no real life or meaning from the viewpoint of the traditional Western trade unionist. They performed none of the functions for the workers that trade unions in the United States and other free nations do. He stated that:

The trade unions exist in Communist countries because of the natural desire of industrial workers to have an organization for the protection of their craft and industry. To satisfy this natural inclination and aspiration and tradition of the workers, trade unions are allowed to exist.

Furthermore, these trade unions play not only a negative role insofar as making impossible the organization and carrying through of strikes, or movements for shorter hours, better wages, improved working conditions, but they are also the second line of propaganda organization, following in the footsteps of the Communist Party itself.

As Lenin said of trade unions under communism: "Trade unions are our best schools of communism," and certainly one of their major functions was the turning out of propagandists and functionaries for the various aspects of Communist life.

Santo's testimony also included significant information pertaining to the status of workers in Communist Hungary as compared with those in this country or other free nations. According to Santo:

> The workers of Hungary had to learn, like everybody living under the so-called dictatorship of the proletariat, that it was a terrible fraud perpetrated on them since, in fact, it was a dictatorship against the proletariat.
>
> The Communist government does away with the capitalists and the landowners in the first stage after coming to power. Numerically speaking, of course, these are usually a small minority. The middle class, those who are affluent, are shoved down with the proletariat. But the real sharp edge of the so-called dictatorship of the proletariat is directed against the proletariat itself, because they are the overwhelming majority, a majority whose numbers increase from day to day by virtue of the wiping out of the small business and by the industrialization of the country.
>
> The working class under the so-called dictatorship of the proletariat must learn four things in the negative sense: To see nothing, to hear nothing, to say nothing, and above all, not to think. A thinking worker is cursed by the worst of possible afflictions, and that is why most workers in Hungary, notwithstanding the fact that the price of liquor was sky-high—a bottle of the cheapest rum being the equivalent of 3 days' pay—nevertheless had to have their shot of rum before going to work, and their quota of wine or rum upon quitting work.
>
> As to the positive features that the worker had to acquire in order to survive, that was work—merciless, never-ending, unsanitary, sweated, speeded-up—on the job on which he was employed. That was the life and the tragedy of the Hungarian worker during the years that I lived there.

Rationing in Hungary was terminated at the end of 1951 with great fanfare. At the same time, however, the Communist Party announced the institution of new prices of all major commodities. Santo testified that the end of rationing and the establishment of new prices actually amounted to a 25-percent decrease in the standard of living, even though rents, utilities, and carfare remained stationary. In citing specific examples of the inflationary Hungarian economy subsequent to the end of rationing, the witness stated:

> Those items which were supplied and could best be purchased only on the free market, such as vegetables, fruits, and other agricultural products, increased in price from 200 to 300 percent.
>
> As to the purchasing power of the wage earned by the workers, a few items of illustration would show the situation around 1953.
>
> To purchase three eggs, the worker had to spend an hour's pay, calculated at a high fulfillment of his norm.
>
> A shirt of the most ordinary cotton variety equaled 1 week's pay.
>
> To purchase a pair of shoes, the workingman had to spend 2 weeks of his pay. * * * A pound of coffee, 1 week's pay.

Santo gave the committee a vivid account of life in Hungary during the Korean war. In addition to the hardship resulting from the reduction in living standards, terror tactics were accelerated against leading political personalities, political parties, and whole classes of people. The Korean war was pictured in the press as an aggression on the part of American imperialism, and reports from the battle zone attested to the so-called germ warfare carried on by the American troops against the "helpless" North Koreans.

Santo learned in 1956 that there were 180,000 Hungarians in concentration camps, representing about 10 percent of the working population. Moreover, the witness revealed that, due to overcrowded jails, "additional tens of thousands" who were sentenced to prison had to go home and wait until called to start serving their terms. He further revealed that:

> Members of the Communist Party were usually sent to camps on charges of being spies. Others, for theft, quite a lot for being Kulaks—rich peasants—who were allegedly engaged in sabotage; for attempting to cross the border and flee to the West; for paying for abortion of an unwanted child; and innumerable other reasons.
>
> Besides concentration camps, there also began and developed mass deportation from Budapest of members of the middle class of the old regime, for the purpose of freeing their apartments, and using them in out-of-the-way places as labor forces on construction jobs.
>
> * * * * *
>
> Other such deportees—called class enemies of the regime—were deported to various villages where they had to live in pig sties. The only work they could possibly get was that of watching geese graze.

One of these deported persons whom Santo knew personally from the United States was Rose Weinstock, wife of the aforementioned Communist leader, Louis Weinstock. She first visited Hungary in 1948 as head of the U.S. Hungarian delegation to the Second Congress of the Women's International Democratic Federation, an international Communist front. In describing this case, Santo stated:

> Around 1952—as she related to me—because of certain incompatibility with her husband, she decided to accept the invitation extended in 1948, and together with her then 12-year-old daughter returned to Hungary. For a few months, she lived in Budapest at her own expense, a forlorn soul. Then herself and her daughter were seized by the secret police and deported to a faraway village where they had to live, having as their home a cowshed.
>
> * * * * *
>
> Nobody knew the charges against her. The secret police simply picked them up and deported them. She only knew that it was forbidden for her to return to Budapest.

When Mrs. Weinstock was permitted to return to Budapest a year or so later, she visited Santo for the purpose of soliciting his advice regarding whether she should remain in Hungary. Santo suggested

that Mrs. Weinstock contact the American consulate and petition for the renewal of her then expired passport. Mrs. Weinstock's passport was subsequently renewed and she returned to the United States. Despite Mrs. Weinstock's treatment while residing in Hungary, she later wrote an article in the Communist *Daily Worker* praising the Communist Government of Hungary and condemning the revolution of 1956.

The witness said that the death of Stalin in March 1953 was "immediately followed by further tightening of the screws in the economic, political, and social life of Hungary * * *." In July 1953, Imre Nagy, one of the relatively unknown leaders of the Hungarian Communist Party, replaced Rakosi as the Prime Minister of Hungary. Santo briefly described what he termed "incomprehensive and unexplained changes" which existed under the Nagy regime:

> After the terrible 4 years of 1950–53, it seemed somehow as though laughter came back to Hungary. The plates on the table were beginning to have some food on them. There was a literary ferment, with critical articles and plays. Something unfathomable, elusive, yet real, began to sweep the country.
>
> * * * * *
>
> The deportees were beginning to come back to Budapest. They received back—some of them—their apartments. The concentration camps began to open up their gates, and tens of thousands of people returned.
>
> But above all, in the party, first whispered and gossiped, and then openly, discussions began.
>
> This process, of course, was tremendously accelerated by the secret speech of Khrushchev at the 20th Congress of the Bolshevik Party of the Soviet Union in 1956, in which he exposed Stalin as a tyrant, a criminal, and a coward.

Testimony of Santo also indicated that during the premiership of Nagy there was a marked decrease in police terror and wages were increased by 15 percent.

Santo, however, pointed out that the growing confusion reached new heights in Hungary when, as a result of Russian intervention, Nagy was removed as Prime Minister in the spring of 1955 and was replaced by "a young nonentity" by the name of Andras Hegedus. Charging that the country had been endangered by the rightwing deviationism of Nagy, Hegedus reversed all the reforms initiated by Nagy with the "vociferous and bloodthirsty" backing of Rakosi. As a result of these developments, Santo stated, an intellectual turmoil developed in the country. Due to his complete isolation from contact with the Hungarian population, he was much slower to become aware of the new political situation than others.

Not only was Nagy expelled from the Hungarian Communist Party, but he was discharged from his post as university professor and from the Hungarian Academy of Sciences. Santo said that Nagy was "one of the greatest experts on Hungarian agriculture" and became a "legendary name" among the peasantry of Hungary. Nagy had served as the Minister of Agriculture following World War II and was "responsible for the law that distributed the large landed estates, of which some hundreds of thousands of Hungarian

landless peasants each received a few acres of land." Santo characterized Nagy as a Communist, but foremost, a Hungarian patriot.

In addition to the expulsion of Nagy, frameups involving other Hungarian Communists had a decided effect upon Santo's faith in communism. Among these cases were the brutal torture, imprisonment, and subsequent release of Janos Kadar, a Hungarian Communist Party official; the exoneration, public exhumation, and reburial of Lazlo Rajk (executed Hungarian Communist leader); and the imprisonment and subsequent release of Lajos (Louis) Bebrits,[5] who had recruited Santo into the American Communist Party in 1928. According to Santo's own words:

> The story of Kadar, of Bebrits, affected me as a psychological sledge hammer. I felt myself dissolving, breaking up, morally, mentally, intellectually. A thirst arose in my soul to crawl away in shame, in disgust, in despair.

On July 14, 1956, a most significant event occurred involving steelworkers of Czepel Island, an industrial center in Budapest. Santo, in describing the situation as "an unheard of event," said:

> The steelworkers issued an ultimatum demanding an increase in wages. Five days later, Rakosi resigned as general secretary of the Communist Party, an event which shook the country like an earthquake. Even though the publicly issued statement referred to the ill health of Rakosi as the major reason for his resignation, adding only a few words of self-criticism concerning past mistakes, nevertheless, his toppling from the Olympian heights of power, prestige, simply accelerated the process of dissolution of the most important asset of Communist rule: the monolithic, all-inclusive, total unity of the Communist Party. Everywhere signs of the breaking up of the tenacious fiber of Communist dedication were to be seen.

Santo brought out the fact that the Russians, disturbed over the increasing personal power of Rakosi, had actually intervened and forced his resignation during a meeting of the Political Committee of the Hungarian Communist Party. The Central Committee of the Hungarian Communist Party subsequently approved the "resignation" of Rakosi and appointed Erno Gero, a long-time Hungarian Communist official, as the party's general secretary.

Santo provided the committee with a vivid, first-hand account of the Hungarian revolution. The following are excerpts taken from his testimony regarding this violent period in Hungarian history:

> During the development of the Hungarian revolution, there were many concrete examples of the complete unity of the Hungarian people, members of the Communist Party and those who were not, indicating their complete abhorrence of that system of society which they were determined to break

[5] Louis Bebrits, editor of the U.S. Hungarian language Communist newspaper, *Uj Elore*, was a witness before the Special (Fish) Committee To Investigate Communist Activities in the United States on Sept. 27, 1930. Santo testified that Bebrits, former Hungarian Minister of Railroads and Transport, "was deported from the United States to the Soviet Union in the * * * 1930's as the result of being subpenaed by the Fish committee where, as it was then the party line, upon being questioned, he maintained proudly his belief in the necessity, advisability, and unavoidability of using force and violence for the purpose of the overthrow of the Government of the United States."

up. Old Bolsheviks and young university students of working-class backgrounds, as well as the intellectuals, the women, the members of the armed forces, all were agreed on one thing: the necessity of breaking up the system of falsehood and exploitation of the people of Hungary, as carried on under the leadership of the Hungarian Communist Party.

* * * * *

The last straw, the one that broke the camel's back as far as I myself was concerned, in respect to my affiliation and loyalty to communism, was the role played by the armed forces of the Soviet Union in the crushing of the Hungarian revolution.

I have seen innocent blood shed without any pretext or provocation at all. I recall, for instance, that during the second attack by the Russian Red Army forces, tanks were patrolling the streets simply for the purpose of terrorizing the population into submission. Bread was scarce, and a line formed before a bakery to purchase bread. One of the Russian tanks pulled into position and shelled that breadline, killing mercilessly women who simply wanted to assure a loaf of bread for their families.

Perhaps I ought to add here that in all the demonstrations and Communist activities of my life in the United States, including 3 years of service as a soldier during World War II, I never saw anything resembling this wanton brutality and unprovoked destruction of innocent human life.

This was war against the unarmed womenfolk of Budapest, designed to terrorize the population into submission, into unquestioning, blind, subservient obedience.

* * * * *

Volumes have been written in every language about the tragedy of the brave, hot-blooded, fiercely liberty-loving Hungarians who wrote a glorious page in the history of mankind by raising high their banner of revolt against Hungarian Communist tyranny, supported by the Russian Red Army. Two hundred thousand men and women and children ultimately were killed, driven out, or left Hungary when that struggle was lost.

Personally, for me, the revolution brought a revelation of the indomitable spirit of human beings and the ultimate failure of the crushing of the spirit of man by Communist or other totalitarian tyranny. It was crushed, but it remains the hope of the world, and that spark of revolt will never die.

Santo was under active surveillance by the Communist secret police during most of his 7-year stay in Hungary. However, it was not until the Hungarian revolution that he learned of the identity of the secret police agent who was assigned the task of watching and reporting on him. With particular reference to Communist secret police activities, Santo testified:

Through the years, of course, I learned that the secret police had agents everywhere. * * *

* * * * *

The invisible government in all Communist countries is the organ of terror, the secret police. It consists of the most devoted, leading strata of the members of the Communist Party, of insignificant rank-and-file Communists, and innumerable other human beings who, while not members of the Communist Party, are compelled to serve in one capacity or another the orders of the secret police. The actual power of the government was not even the million-strong membership of the Workers' Party of Hungary, or of their various unit secretaries, district secretaries, Central Committee members, or those constituting the Political Bureau; the real power was in the hands of the one who could push the button, thus instructing and mobilizing the secret service forces for the carrying through of his orders.

* * * * *

It cleared up, to some extent, also the mystery of Elizabeth Bentley and Whittaker Chambers, whose disclosures in 1947 and 1948, prior to my departure for Hungary, simply didn't make sense to me. Seven years of Hungarian living in the so-called land of the proletarian dictator and People's Democratic Hungary made me learn an awful lot. There *were* spies; most everybody was a spy, everywhere could be spies, and nobody * * * ought to underestimate the role, the importance, the worldwide net of paid, bribed terrorists and * * * dedicated agents and professional sadists that constitute the Communist underground secret police net.

In discussing the reasons for his defection from communism, Santo stated:

Basically, my break with communism can't be adduced to one factor alone, such as the Hungarian revolution of 1956, which gave me the opportunity to flee Hungary and communism. If it is desired to put the answer in a nutshell, it is the contradiction between the shining beauty of the theory of communism and what it is in practice as a bestial, corrupt, retrogressive way of life, as a system of government of false morality, perverted ethics, wasteful economy, and politics of horror and torture for the working people.

* * * * *

However, it is one thing to live in the United States and to look from afar upon communism being built in the Soviet Union, and another thing to live in a country such as Hungary ruled by the Communist Party under a so-called dictatorship of the proletariat.

The 7 years of my life in "People's Democratic" Hungary from 1949 to 1956 laid bare for me as nothing else could, the inhumanity, the antihumanity, the lawlessness, the complete lack of any moral and ethical standard of that system of society.

* * * * *

Searching back as to the reasons why I originally joined the Communist Party, I think it is fair to say that I was

> motivated by the basic principles of the Christian-Judeo civilization, of the brotherhood of mankind, living in peace and well-being upon this earth.
>
> As a goodly portion of all members of young generations do, I felt pity and compassion for those who lived miserable lives of poverty, of ignorance, of exploitation, and of discrimination.

The witness told the committee that he is not now a member of the Communist Party and that he has not been a member since 1956.

Santo, in response to committee questioning, said that Communist parties of the world are not political parties in the usual, accepted meaning of the word. He characterized these Communist parties as "national components of a worldwide apparatus, a tool whose manipulators are in the Kremlin."

The witness made the following comments with respect to the nature of communism:

> It is not a religion, because while dogmatic, its dogmas are like the shifting sands, or more properly like the devil quoting the Bible. It could be more aptly considered a faith, because besides the body of theory, dogma, besides rational thinking at the end of which the Communist has answers—even if they are false—to all questions concerning politics, sociology, economy, ethics, morality, philosophy, or even biology, beyond all of that, a Communist must also have a mystical faith. This mystical faith must be of a very primitive nature, centering upon, on one hand, one individual, the Marx, the Lenin, the Stalin, the Rakosi, the Khrushchev, or some one individual, pretty much like the savages must have supreme faith in their tribal chief, who is all-wise, infallible, and incorporates in himself all earthly and heavenly virtues.
>
> This faith has another arm in the belief in the collective ownership of the means of production as the end-all and cure-all of all ailments of society.
>
> It is my belief that, while all comparisons have certain shortcomings, communism can be compared to addiction much more than to religion or faith. The Communist philosophy provides the same escape for people who desire something else than what they have, who are in some manner unfulfilled in their life, in their family, in their love, for people who are ambitious and find no quick outlet for energies—they might turn to morphine, cocaine, or they might join the Communist Party.

Living in a country where there was absolutely no private property provided Santo with an opportunity to discover the fallacies of the Hungarian economy. He found that the Communist system was in "no way superior to the society which is based on the private ownership of property." In comparing life under communism with life in a free society, Santo said that the "collective ownership of the means of production, coupled with a dictatorship, is not superior to a system of government based on free private property, available to all as a result of hard labor—hard, dedicated, talented labor—which is properly managed under a free government."

Upon fleeing Hungary in November 1956, Santo immediately contacted an American newspaper correspondent in Vienna for the purpose of making a public statement indicating his complete break with both the Communist Party and communism in all of its aspects. Subsequent to the publication of Santo's story on November 24, 1956, he was visited by various representatives of the U.S. Government. Also, about that same time, Santo expressed a desire to return to the United States and applied for reentry.

The final chapter of the John Santo case was summarized by Mr. Francis E. Walter, the late chairman of this committee, in the preface to the printed transcript of Santo's consultation.

Mr. Walter said in part:

> Many people, many good Americans then in Vienna, were convinced of Santo's sincerity. The Church World Service, an organization dedicated to rendering assistance to refugees all over the world, took Santo under its protective wing and secured temporary employment for him in Austria, first as an interpreter and then as a teacher of the English language. The great humanitarian, a dedicated social worker, the late Roland Elliott, director of the Church World Service's refugee activities, with whom I had the privilege of being associated for well over a decade in displaced persons and refugee work, turned to me requesting that I intercede with immigration authorities and obtain their agreement to Santo's entry to the United States as a refugee. I was reluctant to do so at first and I suggested that more time should be allowed to pass before Santo's sincerity and trustworthiness could be evaluated.
>
> In 1958, while I attended one of the sessions of the Intergovernmental Committee for European Migration, Mr. Elliott brought Santo to Geneva, Switzerland. My conversation with Mr. Santo lasted for several hours and I was impressed by what he told me. He retraced the history of his youth in the United States where he had arrived from Hungary at the age of 19, attempted to study at Chicago, Ill., dropped out of school after a very short time and soon attracted the attention of Communist organizers, whom he joined voluntarily and with great enthusiasm. He then proceeded to tell the story of his exile from the United States and his experiences in Hungary.
>
> Although the ring of sincerity was quite apparent in Santo's story as first told to me, an extensive review of Santo's activities in the United States and a study of records of interrogations conducted by American officials in Austria caused me to defer action in Santo's behalf. One important element of this decision was my conviction that Santo's return to the United States, if it were to occur, must be in full compliance with the law—and the law, the Immigration and Nationality Act, states that a former Communist is not eligible to enter the United States until he demonstrates that "since the termination of such membership or affiliation such alien is and has been for at least 5 years prior to the date of the application for admission actively opposed to the doctrine, pro-

gram, principles and ideology of such party" (Communist Party or a Communist-dominated organization) (Sec. 212 (a)(28)(I) of the Immigration and Nationality Act).

My second conversation with Santo took place again in Geneva on April 8, 1962, in the presence of the then member of the House Committee on the Judiciary, Representative James F. Battin, of Montana. The interview again lasted several hours. Without prodding and questioning, Santo reviewed what he called "my Communist life" and expressed what to me sounded like an urgent desire to tell his story "to whoever should listen to it in America"—to use his own words. He was still living in Vienna, engaged at the time with an Austrian partner in the importation of goods from the United States. He was recognized as a refugee by the Austrian authorities and by the United Nations High Commissioner. He was a stateless person and used as identification a travel document which is issued under the auspices of the High Commissioner to a person in such status.

In conclusion of our conversation I told Santo that I intended to consult with the proper authorities in Washington and that after the statutory 5 years of his disassociation from the Communist Party had lapsed at the end of 1962, I believed I would present his case to the Attorney General of the United States who is vested with discretionary power to admit refugees on parole pursuant to the so-called Fair Share Act.

In January 1963, after the Protestant Episcopal Church, acting through the Church World Service, provided the necessary sponsorship affidavit, John Santo entered the United States.

The Committee on Un-American Activities believes that Santo's own story is a unique document of paramount importance. It is primarily designed to educate and provide food for thought for those who may still, even at this late hour, not be fully aware of the devious ways in which the Communist conspiracy works in the United States under the direction of foreign powers and the inhuman, tyrannical application of the Communist doctrine in those unhappy lands which this conspiracy has been permitted to capture.

There are, I am sure, more "Santos" in the United States, busily continuing the work which John Santo was doing here between 1928 and 1949. The study of John Santo's story might make it easier for an attentive reader to recognize and unmask them. John Santo's story might also clarify the minds of some, young and old, who have been misguided, blinded, or duped by open and hidden Communists into following their evil doctrine and assisting them in the achievement of their evil aims.

CHAPTER V

REFERENCE SERVICE FOR MEMBERS OF CONGRESS

The collection of public source material in the field of subversive activities which the committee has built up over a period of 25 years is the foundation of the specialized reference service the committee provides for Members of Congress. It is also consulted constantly by committee staff members and representatives of governmental investigative agencies for source and lead material.

During the past year, special emphasis has been placed on the acquisition and processing of new material in order to make the records not only as complete but as current as possible. In addition, a new report form was adopted in order to present the information developed in a briefer, more readable form, while at the same time incorporating all data in the most accurate manner possible.

The committee's Reference Section handled inquiries at the rate of about 400 per month during 1963, with the number of requests almost equally divided between Members of Congress and staff members. The names of approximately 8,200 individuals and 4,200 organizations and publications were checked against committee indices in answering these requests. The tens of thousands of references developed were examined in their original sources, and about 3,800 reports were prepared in answer to these requests.

Reference services rendered to staff members are so varied that meaningful statistics on them are difficult to compile. In 1963, however, 1,375 reports were written for staff members and fully three times as many reference questions of a more limited nature were answered. Almost 7,000 exhibits were located and reproduced for use in connection with committee hearings and investigations, and loans of material averaged between 50 and 60 items per week.

Investigative agencies of the Government's executive branch continued, as in years past, to send designated representatives to check the committee's records for information related to their security investigations. These agents, although limited in number because of very restricted work space, came from 25 different agencies and made close to 2,000 visits, fully 80% of which covered a full working day. Requests from State and local government agencies which were referred to the Reference Section were relatively few in number and were handled in much the same manner as those from Members of Congress.

36-584—64——9

CHAPTER VI

BIBLIOGRAPHY OF COMMITTEE PUBLICATIONS FOR THE YEAR 1963

During the year 1963, the Committee on Un-American Activities distributed a total of 252,465 copies of its publications to Members of Congress, Government agencies, and to private individuals and organizations.

At the beginning of the year, it had on hand 143,380 copies of publications printed in previous years. In addition, it received from the Government Printing Office 38,525 copies of hearings held in 1962 but not printed until 1963; 99,000 reprints of publications issued prior to 1963; 29,125 copies of 1963 publications; and 42,000 copies of committee documents returned from the Folding Room.[1] These figures add up to a total of 352,030 copies of committee publications on hand or received during the year.

Following is a list of publications released by the committee during the first session of the 88th Congress:

HEARINGS

U.S. Communist Party Assistance to Foreign Communist Governments (Testimony of Maud Russell), March 6, 1963.

"United Front" Technique of the Southern California District of the Communist Party, April 24–27, 1962.

Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Part 1, May 6, 7, and 23, 1963.

Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Part 2, July 1 and 2 and August 5, 1963.

U.S. Communist Party Assistance to Foreign Communist Parties (Veterans of the Abraham Lincoln Brigade), July 29, 1963.

Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Part 3, September 12 and 13, 1963.

Defection of a Russian Seaman (Testimony of Vladislaw Stepanovich Tarasov), September 19, 1963.

Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United Nations, Part 4, October 16 and November 18, 1963.

---

[1] *Guide to Subversive Organizations and Publications* and Volumes 1 and 2 of *Facts on Communism.*

REPORTS

"United Front" Technique of the Southern California District of the Communist Party, Report and Appendix, House Report No. 631, Released July 31, 1963.

Amending the Internal Security Act of 1950 To Provide for Maximum Personnel Security in the National Security Agency, Report No. 108, 88th Congress (to accompany H.R. 950), March 13, 1963.

World Communist Movement: Selective Chronology 1818–1957, Volume II, 1946–50.

Annual Report for the Year 1963.

CONSULTATION

A Communist in a "Workers' Paradise" (John Santo's Own Story), March 1, 4, and 5, 1963.

CHAPTER VII

CONTEMPT PROCEEDINGS

During the year 1963, the committee made no recommendations to the House of Representatives for contempt citations of any witness who had appeared before it.

SUPREME COURT CASE

On June 17, 1963, the Supreme Court in a 5–4 decision reversed the contempt conviction of *Edward Yellin* who, on the basis of the first amendment, had refused to answer questions of a subcommittee of this committee in Gary, Ind., on February 10, 1958. The majority opinion was written by Chief Justice Warren. Justice White dissented, joined by Justices Clark, Harlan, and Stewart.

Yellin was subpenaed and appeared, together with a number of other witnesses, at public hearings in Gary, Ind., on the subject of Communist Party activities in basic industry, particularly "colonization" in the steel industry. In originally discussing the purpose for calling Yellin, the committee had decided that its rule with respect to executive sessions was not applicable because it had reliable information that Yellin was "a known Communist." After the subcommittee (including the late Chairman Walter) and the general counsel had already left Washington for Gary to conduct the hearings, Yellin's attorneys sent to Washington a telegram addressed to the committee's general counsel asking for an executive session so that his client would not be exposed to publicity. The staff director in Washington sent a telegram denying this request. Testimony indicated that the action of the staff director had not been expressly authorized by the committee.

The Supreme Court stated that the committee was bound by its own rules and noted that the then committee Rule IV required that a witness be first interrogated in executive session if a majority of the committee or subcommittee "believes" that public interrogation "might endanger national security or unjustly injure his reputation, or the reputation of other individuals."[1] The Court then held (1) that it did not appear that the committee particularly considered the issue whether, under Rule IV, Yellin's own reputation would be "unjustly injured" when it made its initial determination to call Yellin in public session, and (2) that the committee's failure to act upon Yellin's later express request by telegram for an executive session was a failure to exercise the discretion imposed upon the committee (as distinguished from its staff) by its rule. In so holding, the Court stated that Yellin's "only remedy" for protecting his reputation was

[1] Committee Rule IV was changed in 1961 making danger to national security the only criterion. House Rule XI 26(m), however, is still in effect and is similar in some respects to the old committee Rule IV.

to refuse to answer, and for that refusal he could not be held in contempt.

The minority disagreed with the Court's interpretation of the evidence and the applicable law. The dissenters pointed out that Yellin had not refused to answer on the ground that the session was public and that the record showed that the committee had considered all the criteria of Rule IV, including that of "unjust injury" to Yellin's reputation, when it first decided to call him in public rather than executive session. They pointed out that Yellin was a known Communist and that the committee had sworn testimony to that effect. There was, therefore, in the view of the four dissenting Justices, no "unjust injury" to the reputation of Yellin in the failure of the committee to reconsider the issue in response to his last-minute telegram.

UNITED STATES COURT OF APPEALS

In a contempt proceeding from the Senate Internal Security Subcommittee, the United States Court of Appeals of the District of Columbia, on December 30, 1963, reversed the conviction [2] of *Robert Shelton* [3] in a decision of great importance to this and all other congressional committees. A three-judge panel of the court (Judges Wright and Washington, with Miller dissenting) held that, under the Senate resolution creating the subcommittee, a subpena can be authorized only by action of the full committee (or subcommittee) and that a subpena authorized by its chairman alone is invalid. In so doing, the panel distinguished between the *authority for* and the *issuance of* a subpena. This decision is applicable to all committees and subcommittees of both Houses of Congress.[4] The decision is contrary to the established practice of the committees of Congress to permit their committee chairmen to authorize, as well as to issue, subpenas; and thus the decision appears to disregard the doctrine that Congress' construction of its own rules is entitled to great weight.[5]

While the decision might well be criticized for its narrow construction of existing congressional subpena power, its underlying premise seems completely erroneous; that an invalid subpena affords to a witness on the stand a defense for refusal to answer pertinent questions. The second branch of the contempt statute, under which Shelton's prosecution was brought, does not require or contemplate a sub-

---

[2] An earlier conviction for the same contempt was reversed by the United States Supreme Court on May 21, 1962, *sub nom. Russell* vs. *United States*, 369 U.S. 749, in a 5–4 decision requiring for the first time that contempt indictments allege the precise subject under inquiry.

[3] Shelton, a copy editor of the *New York Times*, had been convicted in the district court for refusing, in January 1956, to answer whether he was then a member of the Communist Party and whether he had ever had a conversation with an employee of that paper believed by the subcommittee to be a member of the Communist Party engaged in party activities in the Typographical Union. Shelton's refusals to answer were based upon the first amendment.

[4] The panel construed the grant of subpena power contained in S. Res. 366 (81st Congress) which, it noted, followed the language of section 134(a) of the Legislative Reorganization Act of 1946. That act is the codification of the subpena power for all standing committees of the Senate and for the House Committee on Un-American Activities (the only House committee to which it gives subpena power). Similar language is used in the grant of subpena power by the Rules of the House to the only other House committees having such power by rule, namely, Appropriations and Government Operations. The grant of subpena power in the Reorganization Act reads in pertinent part:

"Each standing committee of the Senate, including any subcommittee of any such committee, is authorized * * * to require by subpena or otherwise the attendance of such witnesses * * * as it deems advisable." § 134(a).

[5] "* * * To place upon the standing rules of the [Congress] a constructon different from that adopted by the [Congress] * * * is a serious and delicate exercise of judicial power." *United States* v. *Smith*, 286 U.S. 6, 48 (1932).

pena or summons.[6] Therefore, the validity of a subpena, if there be a subpena, is irrelevant. It was so held in *Sinclair* v. *United States*, 279 U.S. 263 (1929), and in *United States* v. *Josephson*, 165 F. 2d 82 (C.C.A. 2, 1947), cert. denied, 333 U.S. 838.[7]

The Attorney General was requested by the Senate Internal Security Subcommittee and by this committee to seek review of this panel's decision in the Shelton case by petition for rehearing before the full bench of the United States Court of Appeals and for hearing by the United States Supreme Court. The Attorney General declined to take either of these appellate procedures, and this decision is now the law in the District of Columbia.

UNITED STATES DISTRICT COURTS

John T. Gojack, in Washington, D.C., was retried,[8] convicted, and on December 13, 1963, was sentenced to 3 months' imprisonment and $200 fine. Gojack, an international vice president of the United Electrical, Radio and Machine Workers of America, had refused to answer questions of a subcommittee conducting hearings on Communist Party infiltration in the field of labor in February and March 1955. Gojack contended that the hearings lacked legislative purpose and that the questions violated his first amendment rights. He has appealed his conviction to the United States Court of Appeals.

Frank Grumman and *Bernard Silber* were retried [9] in Washington, D.C., in November 1963, and their cases were under advisement by Judge Luther Youngdahl at year end. Both were members of the American Communications Association, Grumman being employed by Western Union and Silber by RCA Communications, Inc. They refused to answer questions in a hearing conducted by the committee in 1957 into Communist Party infiltration in the communications industry, asserting, principally, first amendment rights and lack of legislative purpose.

The reindictment of *Louis Earl Hartman*, the conviction on the first indictment having been reversed by the United States Supreme Court on June 25, 1962, on the authority of the Russell case, was dismissed by the District Court for the Northern District of California on June 19, 1963. This dismissal was on technical grounds involving the statute of limitations in connection with reindictment after reversal, under 18 U.S.C. 3288. Hartman had refused, on June 19, 1957, to answer questions in a hearing in San Francisco on Communist Party activities in the professions.

The contempt indictments against *Victor Malis*, *Alfred James Samter*, and *Robert Lehrer* in the United States District Court in Hammond, Ind., were dismissed on the authority of *Yellin* vs. *United*

---

[6] "*Every person* who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, * * * or any committee of either House of Congress, willfully makes default, or *who, having appeared, refuses to answer any question pertinent to the question under inquiry,* shall be deemed guilty of a misdemeanor, * * *." [Emphasis added.] 2 U.S.C. § 192.

[7] "The indictment being sufficient and properly based upon the second branch of the statute, the next issue is whether there was enough evidence to support the verdict. In this connection it is to be noted, and the appellant rightly concedes, that at least as regards the second branch of the statute whether or not his appearance before the subcommittee was in response to a lawful subpena lawfully served is immaterial." Id. 86.

[8] An earlier conviction for the same contempt was reversed by the United States Supreme Court, *sub. nom. Russell* v. *United States, supra.*

[9] Their earlier convictions were reversed in June 1962 by the United States Supreme Court on authority of *Russell* v. *United States, supra.*

States, *supra*, for which decision they had been held in abeyance by the trial court. They were called in the same hearings as was Yellin.

The case against *Harvey O'Connor* for refusing to respond to a subpena of the committee to attend a hearing in Newark, N.J., on September 5, 1958, on the subject of Communist Party activities in the Newark area, is still pending in the United States District Court in that city.

As of the end of 1963, it had not been determined by the Department of Justice whether to reindict *Martin Popper*. The conviction of Popper for refusing, in Washington, D.C., in 1959, to answer questions as to his Communist Party membership at times when he applied for and traveled under United States passports was reversed by the United States Court of Appeals for the District of Columbia on July 5, 1962, on authority of the Russell case referred to above. Popper is a lawyer licensed to practice in the courts of New York and before the United States Supreme Court. He was one of the founders of the National Lawyers Guild and has remained prominent in its leadership.

At the end of 1963, the new indictment against *Norton Anthony Russell* was awaiting trial in Washington, D.C. He had refused to answer questions about himself and others in hearings on Communist Party activity in the Dayton-Yellow Springs (Ohio) area, held in Washington in November 1955. His earlier conviction for this was reversed by the Supreme Court in 1962, as noted above.

The case of *Sidney Turoff* was pending, at the end of 1963, in the United States District Court in Buffalo, N.Y., after reversal by the Second Circuit Court of Appeals on June 26, 1961. Turoff was indicted for refusing to answer questions at a hearing on Communist Party activity in the Buffalo area on October 1, 1957. His retrial was continued awaiting the decisions of the Russell and Yellin cases in the United States Supreme Court and the retrials of certain cases in Washington, D.C.

CHAPTER VIII

LEGISLATIVE RECOMMENDATIONS

The rules of the House and the Legislative Reorganization Act of 1946, in establishing the House Committee on Un-American Activities, have directed the committee to make investigations of subversive propaganda activities in the United States, whether of a domestic or foreign origin, that attack the principle of the form of government guaranteed by our Constitution and to investigate all other questions in relation thereto that would aid the Congress in any necessary remedial legislation. A duty was further imposed to make a report to the House of the results of any such investigation, together with such recommendations as it deems advisable. Pursuant to this mandate, the committee makes the following recommendations:

I. ASSASSINATION OF PRESIDENT OR VICE PRESIDENT

It is recommended that legislation be adopted to make punishable as a Federal offense the unlawful killing of the President or Vice President of the United States.

Title 18, United States Code, sections 1111, 1112, and 1113, respectively, make murder, manslaughter, the attempt to commit murder or manslaughter, Federal crimes only when committed within "the special maritime and territorial jurisdiction of the United States." This special jurisdiction is defined in section 7 of Title 18, United States Code, and generally includes the waters within the admiralty and maritime jurisdiction of the United States (high seas and navigable waters) and lands reserved or acquired for the use of the United States and under its exclusive or concurrent jurisdiction.

Murder or manslaughter of the President or Vice President would also be punishable under Federal law if committed while aboard an aircraft in flight in interstate or foreign commerce (49 U.S.C., sec. 1472(k)).

In addition, wrecking a train, or its facilities and appurtenances used in interstate or foreign commerce, resulting in the death of any person (including, of course, the President or Vice President) is a Federal offense punishable under section 1991, 18 United States Code.

Apart from these statutes, the only provision of law making murder or manslaughter committed within the jurisdiction of any State punishable as a Federal crime is section 1114 of Title 18, U.S.C. This section, however, is limited to the killing of certain officers and employees of the United States, principally law enforcement officers, while engaged in the performance of official duties or on account of

the performance of official duties. It applies only to categories of employees specifically listed in the section, such as: Federal judges, U.S. attorneys, marshals and deputy marshals, employees of the FBI, Justice Department, Secret Service, Narcotics and Customs Bureaus, Internal Revenue and National Park Services, postal inspectors, immigration officers, Coast Guardsmen, and persons carrying out certain assignments for the Agriculture and Interior Departments or the National Aeronautics and Space Administration.

The committee believes it a matter of importance to the national security that the unlawful killing of the President or Vice President be made punishable as a Federal offense, even though such act is committed within the jurisdiction of one of the States. Certainly, from the constitutional and various other viewpoints, the President and Vice President are more important personages than the Federal officers listed in section 1114, Title 18, mentioned above, and their deaths have far greater impact on the national security and welfare. The reasons which support section 1114, therefore, sustain the present recommendation.

Additional reasons are suggested by the circumstances surrounding the November 22, 1963, assassination of President Kennedy by the accused, Lee Harvey Oswald, a self-confessed Marxist. They are also suggested by the overall context of the present world situation.

According to the precepts and dogma of communism, "peace-loving socialist" (i.e. Communist) forces are waging an irreconcilable struggle against "imperialist capitalists" led by the United States. Communists are taught that they must work for the destruction of all non-Communist governments and that victory will surely be theirs because the so-called laws of history make a Communist world society absolutely inevitable.

The Congress has found:

> There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a world-wide Communist organization.[1]

Within the United States, the world Communist movement is spearheaded by the Communist Party of the United States, a group operating under the control of the Soviet Union.[2] Other Communist groups of notable strength in the United States, generally described as Marxist-Leninist or Marxist (and usually having international ties), although following independent disciplines, are dedicated to the same basic views and objectives and often operate in concert with the Communist Party.

---

[1] Internal Security Act of 1950, sec. 2(1).

[2] After receiving voluminous evidence, the Subversive Activities Control Board pronounced the Communist Party of the United States to be a disciplined organization operating in this Nation under Soviet Union control with the objective of installing a Soviet-style dictatorship in the United States. This finding was sustained by the United States Supreme Court in *Communist Party of the United States* v. *Subversive Activities Control Board*, 367 U.S. 1 (1961).

The objective of all these groups is the overthrow of the United States Government with a view toward supplanting it with a Soviet-style or "proletarian" dictatorship. Together they swell the tide of activity directed toward this end. The basic doctrines of these groups teach violence, revolutionary action, and involve the adherents in an emotional atmosphere of fixed, intense hatred of non-Communist governments and those who constitute their leadership. Tons of propaganda to this effect are disseminated among them, and among non-Communists in the United States as well, by such groups and also outside it—by groups in the Soviet Union, Red China, Cuba, and numerous Communist parties and groups throughout the world.

The fact that an admitted Marxist with a variety of Communist associations and ties stands accused of assassinating the President of the United States created a deep stir and frantic reaction within the Communist movement. Leaders of Communist groups hastened to disassociate themselves from the actions of Oswald and were quick to claim that Marx and Lenin—and they themselves—rejected "such acts of violence and terror." Even today, the Soviet Union and the U.S. Communist Party persist in promoting the claim that the President was assassinated by some as yet undiscovered "rightist" or that Oswald was "an informer and provocateur for the FBI or some other intelligence agency of the U.S. Government." [3]

The fact of the matter is that Lenin admonished all Communists: "We have never rejected terror on principle, nor can we do so." [4]

Lenin made this statement in the course of a criticism of certain Russian revolutionaries who had supported recent attempts on the life of a Tsarist government official and a church dignitary and who were forecasting a reign of "Red terror." He wanted it understood, however, that his objections to assassinations were based on his opinion that they were "inopportune and inexpedient" under "present circumstances." Successful overthrow of the Tsarist government, Lenin stated at this time (1901), depended upon the creation of a "central revolutionary organisation" to lead the discontented masses. "Departure of the most energetic revolutionaries to take up the work of terror," he said, would impede efforts to establish such an organization. He went on to say:

> Terror is a form of military operation that may be usefully applied, or may even be essential in certain moments of the battle, under certain conditions * * * We would not for one moment assert that individual strokes of heroism are of no importance at all. But it is our duty to utter a strong warning against devoting *all* attention to terror, against regarding it as the *principal method* of struggle, as so many at the present time are inclined to do. [Emphasis supplied.] [5]

Years later, on October 25, 1916, in commenting on the assassination of the Austrian Prime Minister by the Austrian Socialist, Friedrich

---

[3] Herbert Aptheker, leading U.S. Communist Party theoretician, writing in the Party's monthly, *Political Affairs*, February 1964, p. 52.
[4] *Lenin*, "Where to Begin?" (May 1901), *Selected Works*, (New York: International Publishers, 1943), vol. II.
[5] Ibid.

Adler, Lenin was much more specific in stating his view of political assassinations:

> As for the political evaluation of the act, we, of course, remain in our old conviction, confirmed by the experience of a decade, that individual terroristic acts are a purposeless form of political struggle.[6]

Lenin once again took pains, however, to show that he was not against assassinations, per se:

> "Killing is no murder," wrote our old *Iskra*[7] about assassinations. We are *not at all against* political murders * * * but from the point of view of revolutionary tactics, individual acts are purposeless and harmful. * * * Only in direct, immediate connection with a mass movement could or should individual terrorist acts be of use. * * * [Emphasis Lenin's.]
>
> * * * It would have been good if there had been found some leftist group which would have published in Vienna a broadside * * * which would have justified Adler's act morally (Killing is no murder), but which would have explained to the workers that it is not terrorism that is needed but a systematic, continuous, self-sacrificing work of revolutionary propaganda, agitation, etc. * * *[8]

What is the real Communist view of assassinations?

"Killing is no murder * * *. We are *not at all against* political murders."

What really mattered to Lenin—and matters to Communists today? The "political evaluation of the act." That is what counts—the Communist evaluation of whether or not the assassination is useful to their cause.

When Lenin wrote "Where To Begin?" he was mainly concerned with the lack of a "central revolutionary organization" (i.e. Communist Party) to exploit unrest in Russia which had been manifested in recent student demonstrations. Under the prevailing circumstances, he considered individual acts of terror diversionary, "inopportune and inexpedient." But he clearly implied that under different conditions they would be important "individual strokes of heroism."

Moreover, since Lenin's time, the Communists have made it clear that their "political evaluation of the act" is such that they do not limit Lenin's principle (the utility of assassinations) to the conditions prescribed in a general way in "Where to Begin?"

Was the assassination of President Kennedy an expedient, useful act from the Communist viewpoint? We can hardly expect to learn the answer to this question from the only persons in positions to really know the truth, the leaders of the principal Communist camps. What we have seen, conflicts: professed regret in Moscow, open jubilation in Peking.

Whether the assassination of President Kennedy was an individual act or the work of a conspiracy (the committee takes no position on

---

[6] Lenin, Letter to Franz Koritschoner, *Sochineniya* (*Works*) (3d ed.; Moscow: Partiinoe Izdatelstvo (Party Publishing House)), vol. XXIX (1933), pp. 311–313.

[7] A newspaper which was established by Lenin and his friends in Germany in 1900 and illegally distributed within Russia.

[8] Lenin, letter to Franz Koritschoner, op. cit.

this question), it is clear that Communist adherents, in whom ideas of violence, disloyalty, and hatred are daily inculcated by the propaganda organs of the Communist movement and the statements of its leaders, cannot be expected always to understand or act upon the refinements of Communist dogma or directives or judgments as to the expediency of a particular act at any given moment. Because hate is so large an element in Communist doctrine and propaganda, it is reasonable to conclude that Oswald's close association with the Communist movement and reading of its propaganda organs markedly influenced his conduct. Oswald was involved in the U.S. Communist agitation-propaganda effort, leading the attempted organization of a Fair Play for Cuba Committee chapter in Dallas—and the Communist propaganda he read portrayed the President as the leader of that government deemed by Communists to be their principal enemy.[9]

---

[9] On September 9, 1963, just a few months before the assassination of President Kennedy, the *Miami Herald* published the following dispatch from Havana, Cuba, which, in the light of subsequent events, assumes great significance, particularly in view of Oswald's role in the Fair Play for Cuba Committee:

"HAVANA.—Prime Minister Fidel Castro said Sunday 'U.S. leaders' would be in danger if they helped in any attempt to do away with leaders of Cuba.

"Bitterly denouncing what he called recent U.S. promoted raids on Cuban territory, Castro said:

" 'We are prepared to fight them and answer in kind. U.S. leaders should think that if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe.'

"The bitterest Castro attack yet on President Kennedy was made early Sunday morning in a rambling, informal post-midnight dissertation following a reception at the Brazilian embassy.

" 'Kennedy is the Batista of his times . . . and the most opportunistic American President of all times,' Castro said.

"Fulgencio Batista was the Cuban dictator ousted by Castro's revolution.

"The United States, Castro said, 'is fighting a battle against us they cannot win.'

" 'Kennedy is a cretin,' Castro asserted, 'and a member of an oligarchic family that controls several important posts in the government. For instance, one brother is a senator and another, attorney general . . . and there are no more Kennedy officials because there are no more brothers.'

"Castro also disclosed that Cuba has not yet made up its mind about signing the limited nuclear test ban treaty drawn up last month in Moscow.

"A recent dispatch from Moscow indicated the Russians themselves have been puzzled by Cuba's silence in connection with the treaty. Speculation there was that Castro was holding out for more Soviet economic aid and threatening to cast his lot with the Red Chinese.

"The prime minister did not explain which points in the treaty were being given most consideration. But he said:

" 'We are taking into account the current world situation, which of course involves the Caribbean situation, which has been deteriorating in the last few days due to piratical attacks by the United States against the Cuban people.'

"He accused the United States of carrying out 'double-crossing and shifting policies.' He added:

" 'The United States is always ready to negotiate and make promises which later it will not honor. This has happened to promises made during the October crisis. They have been broken as can be seen with new attacks. But I warn this is leading to a very dangerous situation that could lead to a worse crisis than October's.'

"Castro said recent sea and air raids on Cuban industry had done no damage to speak of, and said Cubans knew 'the hand of the United States and its Latin American puppet governments, particularly Guatemala, Costa Rica, and Nicaragua, are behind those attacks.'

"He said he was not worried by economic problems or any other problems, although 'there is a certain disorganization which we are correcting.' "

Another incident which demonstrates Castro's view on the utilization of terror should be kept in mind.

In November 1962, less than a month after the Cuban missile crisis, the FBI arrested five pro-Castro Cubans in New York City. Two of them were attached to the Cuban mission to the United Nations. Another had recently arrived in the United States on a diplomatic passport to serve with the mission, but had not yet been granted official diplomatic accreditation.

The five had weapons, explosives, and incendiary devices in their possession at the time of their arrest. According to the FBI, they intended using the weapons to damage oil refineries in New Jersey and also to create panic by exploding them in large retail stores in New York City. They were formally charged with conspiring to injure and destroy national defense materials.

Following a formal protest from the Department of State, the two so-called diplomats left the United States and returned to Cuba. The other three were not tried, but were exchanged in April 1963 for Americans held by Castro.

Inasmuch as three of these Cubans were official representatives of the Castro regime in the United Nations, there can be little doubt but that their conspiracy to sabotage—and to utilize terror devices that would probably have killed a number of people—had Castro's blessing.

In the recommendations for amendment of Title 18, U.S. Code, to give Federal jurisdiction in the offenses set forth, the committee finally observes that, where acts of violence involve Marxist movements, all facts can be developed only with the assistance or use of Federal agencies. These movements are largely national and international in scope and frequently involve foreign governments, groups, or organizations. State officers do not have the facilities or means to develop all facts surrounding the commission of an offense in which such individuals are involved. The direction by President Johnson to the Federal Bureau of Investigation (rather than to the Dallas Police Department or the Texas Department of Public Safety) and the creation of a special national commission to ascertain the facts surrounding the assassination of President Kennedy would seem to make this clear. Moreover, bringing the commission of the offense within the jurisdiction of the United States also avoids a conflict of investigative jurisdiction, places responsibility in the Federal authorities, and thus avoids any deterioration of the investigative process. For all these reasons the committee recommends legislative action.

II. AREA RESTRAINTS ON TRAVEL

It is recommended that legislation be adopted explicitly authorizing the President to regulate travel by United States citizens to specific areas or countries, at such times as he finds that the national interest requires such action, and making the violation of such restraints punishable as an offense against the United States.

The need for such legislation appeared as a result of intensive investigation and a series of hearings undertaken by this committee in 1963 concerning the pro-Castro and Communist propaganda activities of a substantial number of United States citizens who had traveled to Cuba during the previous 2 years apparently in contravention of law and regulations. (See *Violations of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States*, parts 1, 2, 3, and 4, Hearings before the Committee on Un-American Activities, U.S. Government Printing Office, 1963.)

This committee recommendation is not based on the belief that the President of the United States does not possess power to impose general prohibitions or restrictions on the travel of Americans to or within certain areas of the world. Rather, it is based primarily on evidence, developed in the committee's above-mentioned hearings, that there is need to strengthen the existing law (Section 1185(b), Title 8, U.S.C.) making violations of Presidential travel restrictions a punishable offense.

The President's power to regulate travel to specific areas under certain conditions derives from his implied constitutional duty to conduct the foreign affairs of the United States and from his position as the chief executor of the activities of the Federal Government in the field of international relations and for the defense of the Nation and the prevention of war. This power has been repeatedly claimed and exercised by the President in the course of our history.

Although the President has frequently exercised the power to impose area restraints on travel, this power had not been tested in the courts or made the subject of judicial determination until recently. In three noteworthy cases decided by the United States Court of Appeals for

the District of Columbia Circuit during the last few years, the Federal judiciary has had occasion to pass upon the constitutionality of the exercise of this power. In these cases—*Worthy* v. *Herter*, 270 F. 2d 905, decided June 9, 1959; *Frank* v. *Herter*, 269 F. 2d 245, decided July 6, 1959; and *Porter* v. *Herter*, 278 F. 2d 280, decided April 28, 1960—the exercise of the power has been upheld, and in all three cases certiorari was denied by the United States Supreme Court (361 U.S. 918). In view of the significance of these cases to the legislative problems, they deserve exposition.

Worthy v. *Herter*

The opinion in this case was written by Chief Judge Prettyman for a unanimous panel of the court of appeals, consisting also of Justice Burton (sitting by designation) and Circuit Judge Miller.

William Worthy, Jr., was a newspaperman, duly accredited by the *Afro-American* Newspapers, the *New York Post*, and the Columbia Broadcasting System. A passport had originally been issued to him in 1955, containing a restriction stating that it was not valid for travel to five named areas under control of authorities with which the United States did not have diplomatic relations, including portions of China, Korea, and Vietnam under Communist control, and also a restriction against travel in Hungary. Under this 1955 passport, despite the restrictions, Worthy had nevertheless traveled extensively in both Communist China and Hungary. In 1957 Worthy applied for a renewal of this 1955 passport. He was asked whether he would make a commitment to abide these same restrictions in the 1957 renewal for which he applied. Worthy declined to make such a commitment, and the application for renewal of passport was refused.

The refusal of the passport did not rest upon Worthy's writings, character, or membership in any organization. This the court made clear, and thus distinguished the issue in this case from that involved in *Kent* v. *Dulles*, hereafter noted. The present case was an application of the general policy of refusing Government sanction to travel by United States citizens in certain areas of the world presently under Communist control, deemed to be trouble spots, where the presence of American citizens and the official approval of their presence would impede the execution of American foreign policy in relation both to those countries and to other countries.

The court unanimously held that such designation of restricted areas was within the power and authority of the Executive, for the following reasons:

(1) The designation of certain areas of the world as forbidden to American travelers falls within the power to conduct foreign affairs. The imposition of such restrictions is an instrument of foreign policy. "The essence of the conduct of foreign affairs is the maintenance of peace, the prevention of war. The Constitution places that task of prevention in the hands of the Executive. The two correlative powers, to conduct war and to prevent war, are Executive functions under our Constitution." The court concluded that the President has ample power to impose these restrictions under the Constitution itself, and apart from statute.

(2) Although there is ample power under the Constitution itself to impose geographical restrictions, there is also a statutory power to des-

ignate restricted areas under section 1185(b) of Title 8 U.S.C., the Immigration and Nationality Act, and the Act of July 3, 1926 (22 U.S.C. 211a).

(3) As to Worthy's claim that the right to travel is protected by the Constitution, being a part of the right to liberty, the court answered this claim in a lucid passage which deserves to be set forth in full, as follows:

> The right to travel is a part of the right to liberty, and a newspaperman's right to travel is a part of the freedom of the press. But these valid generalizations do not support unrestrained conclusions. For the maintenance and preservation of liberty, individual rights must be restricted for various reasons from time to time. In case of a clear and present danger to the national security, even so generally unrestrictable a right as speech can be restricted. In case of a reasonably anticipated threat to security or to law and order, many acts by individuals can be restricted. An assembling mob bent on disorder can be dispersed. A man with a contagious disease can be locked in his house. Potentially dangerous actions must be restricted in order to prevent harm to others. So we have sanitation, fire, building and speeding regulations.
>
> Liberty itself is inherently a restricted thing. Liberty is a product of order. There is no liberty in anarchy or in chaos. Liberty is achieved by rules, which correlate every man's actions to every other man's rights and thus, by mutual restrictions one upon the other, achieve a result of relative freedom. The mere day-to-day maintenance of the order which insures liberty requires restrictions upon individual rights. Some actions, neither harmful nor potentially dangerous, must be restricted simply for the sake of good order in the community. So we have parking, traffic and zoning regulations and rules of court.
>
> No individual may take whatever he pleases, and so all others are free to enjoy their possessions. One man may not assault another with whom he disagrees, and this restriction protects the freedom of all to speak and live peacefully. One may not spread vicious lies about another, and so all are free to enjoy their good reputations. Every person is forbidden to join with his competitors to drive another person out of business, and so all are free to pursue their trades and buy products at reasonable prices. Everybody's liberty is restricted by prohibitions against driving recklessly, spreading disease, and leaving hidden dangers on property, and so the whole community is free to enjoy health. One cannot trample his neighbor's flower beds, or even trespass on his lawn. Even in a neighborhood community every man's right to roam is drastically restricted. A man who asserts his own uninhibited freedom to go where he pleases is a menace and is quickly put in his place. He may not park where he pleases, or drink where he pleases, or spit where he pleases. In the community the police take care of these matters, and in so doing the officers act as servants of the rest of the community; they are the government.

Freedom to worship as each one chooses is restricted in some ways. Worship by human sacrifice is forbidden. A member of one religion cannot interrupt the services of another religion in order to worship in his own way. Through this restriction all have freedom to worship as they choose.

Freedom of the press bears restrictions. It does not include the right to publish what another has registered with the copyright office. Merely because a newsman has a right to travel does not mean he can go anywhere he wishes. He cannot attend conferences of the Supreme Court, or meetings of the President's Cabinet, or executive sessions of Committees of the Congress. He cannot come into my house without my permission, or enter a ball park without a ticket of admission from the management, or cross a public street downtown between crosswalks. He cannot pass a police cordon thrown about an accident, unless he has a pass from the police. A newsman's freedom to travel about is a restricted thing, subject to myriad limitations.

The peace-loving have rights. Those who recognize the fundamental necessities of liberty as a delicate product of order have power to protect themselves and their liberty. The liberty of everyone, law-abiding citizen and criminal alike, is involved in the maintenance of order and is threatened when disorder brings either the necessity or the opportunity for force to replace correlated rules of conduct. Such a threat may easily arise from conditions in foreign lands. The people have a right to protect their liberty, no matter whence the threat.

Indeed it is quite clear that those who cry the loudest for unrestricted individual freedom of action would be the loudest in bemoaning their fate if their plea were granted. The same release from constituted authority would set free persons so powerful, so ruthless, so bent on autocratic control that no newsman would have any liberty whatever. The customary prompt transformation of unrestrained liberty into dictatorship is one of the poignant lessons of history. These pleas for unrestricted individual freedom seem to us to be made upon a firm assumption that not too many people will be granted such liberty and not too much liberty in any event. Worthy himself says he does not plead for an unrestricted liberty for all people. His plea is for his own liberty to do what he happens to choose.

So we conclude on the point that the right to travel, like every other form of liberty, is, in our concept of an ordered society, subject to restrictions under some circumstances and for some reasons.

Frank v. *Herter*

This case was decided for the court of appeals by Judges Bazelon, Fahy, and Burger.

This decision is a PER CURIAM decision of one paragraph, in which the court stated that the questions involved were decided by this court in *Worthy* v. *Herter* and that, therefore, the complaint of Waldo Frank to remove from his passport a travel restraint clause as to Communist China and to enjoin the enforcement of sanctions

against the plaintiff was dismissed upon a motion of the Secretary of State for summary judgment.

However, there is a *concurring* opinion by Judge Burger, who felt that there was something more involved in this appeal of Frank than was involved in the Worthy case. Judge Burger pointed out that the issue in the Worthy case related only to the power of the President to impose an area restriction on travel of United States citizens, whereas in the Frank case an additional issue was presented, namely: Conceding the Secretary's power to limit travel to Communist China, was the formula and criteria prescribed for the selection of a limited number of news correspondents who were permitted to travel to Communist China unconstitutionally discriminatory as to Frank?

It appeared that Frank was a teacher and lecturer, who had an invitation to lecture in Communist China, and sought removal of a travel restraint clause in a duly issued passport which he held, restraining travel to that country. The passport held by Frank—like all those issued by the State Department in recent years—contained the following provision:

> This passport is not valid for travel to the following areas under the control of authorities with which the United States does not have diplomatic relations: Albania, Bulgaria and those portions of China, Korea and Viet-Nam under Communist control.

In support of his complaint seeking removal of the restraint, Frank made three contentions: (1) The Secretray of State had no statutory authority to prevent United States citizens from traveling to China; (2) the travel restrictions are a violation of his first amendment rights of free speech and press and the deprivation of his right to earn a living by activities requiring travel; and (3) the Secretary's action in granting travel rights to 25 or 30 representatives of various news services, while denying the same rights to him individually, was an unreasonable discrimination in violation of due process under the fifth amendment.

Frank's pleadings described him as a writer, scholar, and teacher, who has lectured here and abroad and who wrote for 20 Latin American papers. He asserted that he had an invitation to lecture at the University of Peking.

The Secretary of State in reply responded as he did in *Worthy* v. *Herter:* (1) That an essential feature of United States policy toward world communism generally and Communist China in particular is to withhold recognition, *de facto* and *de jure*, of that regime; (2) that in the implementation of that policy, travel of United States citizens to the China mainland has been prohibited; (3) that the Executive's power to conduct foreign affairs springs from the inherent powers of a sovereign, confirmed by the Constitution and implemented by joint action of the President and Congress in statutes; and (4) that in implementation of its policy, the Secretary has developed a formula to permit a limited number of news-gathering agencies to designate representatives to receive passports to Communist China, the agencies being selected on the basis of established past interest in foreign news coverage.

Judge Burger said that the first two contentions of Frank were disposed of in *Worthy* v. *Herter*, but that the challenge to the Secre-

tary's action as being discriminatory is not necessarily controlled by the Worthy case. Judge Burger then dealt with the charge of unconstitutional discrimination. He declared that the Secretary's decision relating to the manner of selection of correspondents to be afforded travel privileges to China is a political decision not subject to judicial review unless it appears that the decision of the Secretary was so arbitrary as to render the basis of the choice discriminatory:

> If, for example, the choice was limited only to Democrats or only to Republicans, obviously that would be improper and would fall. But judicial review even of the formula of selection is narrow and it is limited to determining whether the basis of the choice bears some rational relationship to the ends to be served. The distinction made between news agencies with a demonstrated interest in foreign news coverage and individual reporters must have some relevance to the purpose to be achieved.

In this case the Secretary invited each news-gathering agency with a demonstrated interest in reporting foreign news to apply for leave to go to the China mainland and specifically set as an eligibility criterion the maintenance of at least one full-time correspondent overseas. Judge Burger said:

> Our Government has decided to try out this program of allowing some news correspondents to go to Communist China on an "experimental and temporary basis" because presumably, as a calculated risk, in the conduct of foreign affairs it may help our ultimate objectives of world peace and stability, reduction of tensions, and resistance to Communism. In such an experiment the political branches of the government must be allowed wide latitude in carrying out its policy.

Judge Burger then said it was not the duty of the court to decide whether the Secretary of State had developed the best formula for this program, but to decide merely whether he had exceeded his authority or had acted discriminatorily. Judge Burger found that the formula established for the selection of a limited number of correspondents was not discriminatory and he therefore concurred in the judgment dismissing the complaint.

Porter v. *Herter*

This appeal was decided by Justice Burton (sitting by designation) and Circuit Judges Danaher and Bastian, in a brief PER CURIAM decision.

Porter was a Member of Congress, representing the Fourth Congressional District of the State of Oregon, who on August 7, 1958, was issued a passport on which appeared a restriction identical to that contained in Frank's passport and previously quoted. On June 10, 1959, Porter applied to the Department of State for permission to visit Red China, asserting:

> A member of Congress has a right to go anywhere in the world to do his duty as a U.S. legislator as he sees it, except in time of war or emergency. Any other policy would seem to be an unconstitutional breach of the separation of powers.

Porter's application was denied. He then instituted suit in the district court asserting that the Secretary's action was in violation of his rights under the Passport Act of 1926 and the Constitution of the United States. He asked for an injunction to restrain the Secretary from withholding passport facilities and for an order compelling the Secretary to remove the limitation upon his use of the passport for travel to China.

The court in its decision noted that, although Porter as a member of the Committee on Post Office and Civil Service had been authorized to travel on behalf of that committee in an official capacity to Okinawa and Japan to investigate personnel problems of overseas employees, he had no comparable authority from Congress to travel in Communist China. The court held that his status as a Member of Congress, without more, does not entitle him to be exempted from regulations of the Executive in matters within the Executive's constitutional competence. The court particularly pointed out that there was no question in this case of a conflict between the legislative and executive branches in which the court would be called upon to resolve opposing constitutional claims. The issue here was merely a right asserted by Porter in his individual capacity, although a member of the legislative branch; and, under such circumstances, he, as an individual Congressman, must conform to the passport regulations which are equally applicable to all citizens and which have been authorized by the branch of the Government having jurisdiction over the subject. The court said that, viewed in this light, his rights are subject to the considerations discussed in *Worthy* v. *Herter* and *Frank* v. *Herter*.

It is significant that in the above-mentioned cases the courts did not question the general authority of the President—apart from specific statute—to impose area restrictions on travel. Nevertheless, whatever powers may be vested in the President alone in this area, there is no doubt that the President and the Congress, acting together, may exercise the total powers of a sovereign state, subject to constitutional requirements, in matters concerning travel, including area restrictions.

The committee's hearings indicate, however, that the security problem facing this country today is not so much one of power to regulate travel as it is the effectiveness of existing laws attaching penalties to travel undertaken in violation of Presidential directives.

This is a problem the President alone cannot solve. Only the Congress, in the exercise of its legislative function, can create or impose penal sanctions for the infringement of such regulations or prohibitions as the President may promulgate.

Although recognizing the historic power of the President to place area restrictions on travel, the committee believes that his hand should be strengthened by the enactment of legislation expressing the will and intent of the legislative branch of the Government, spelled out in direct and positive form. The committee takes this position because, as previously indicated, existing statutes contain weaknesses which need correction in the interest of national security. A review of the provisions of these statutes and their administration relative to unauthorized travel to Cuba during the past 2 years indicates what these weaknesses are and what steps should be taken to correct them.

In the past, the Secretary of State has claimed and exercised the power to fix area restrictions on travel pursuant to the Act of

July 3, 1926, 44 Stat. 887; 22 U.S.C. 211a. That act provides as follows:

> The Secretary of State may grant and issue passports, and cause passports to be granted, issued, and verified in foreign countries by diplomatic representatives of the United States, and by such consul generals, consuls, or vice consuls when in charge, as the Secretary of State may designate, and by the chief or other executive officer of the insular possessions of the United States, under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other person shall grant, issue, or verify such passports.

Based on the authority of this statute the President, as long ago as March 31, 1938, adopted the following regulation (22 CFR 51.75):

> The Secretary of State is authorized in his discretion to refuse to issue a passport, to restrict a passport for use only in certain countries, to restrict it against use in certain countries, to withdraw or cancel a passport already issued, and to withdraw a passport for the purpose of restricting its validity or use in certain countries.

The Immigration and Nationality Act of 1952 (Title 8, U.S.C., section 1185) provides that *when the United States is at war or during the existence of any national emergency proclaimed by the President:*

> After such proclamation * * * has been made and published and while such proclamation is in force, it shall, except as otherwise provided by the President, and subject to such limitations and exceptions as the President may authorize and prescribe, be unlawful for any citizen of the United States to depart from or enter, or attempt to depart from or enter, the United States unless he bears a valid passport.
>
> Any person who shall willfully violate any of the provisions of this section, or of any order or proclamation of the President promulgated, or of any permit, rule, or regulation issued thereunder, shall, upon conviction, be fined not more than $5,000, or, if a natural person, imprisoned for not more than 5 years, or both * * * and any vehicle, vessel, or aircraft together with its appurtenances, equipment, tackle, apparel, and furniture, concerned in any such violation, shall be forfeited to the United States.

This statute is the only expression of congressional intent specifically supplementing the President's constitutional power to impose area restrictions on travel and making violations of Presidential area restrictions a punishable offense. It is limited, however, to conditions when the United States is at war or during the existence of a national emergency.

It was called into effect after Castro seized power in Cuba—and is still in effect today—by reason of the national emergency proclaimed by President Truman on December 16, 1950 (64 Stat. A 454), and not since terminated.

Prior to January 19, 1961, Department of State regulations did not require that a valid passport be possessed by a United States citizen traveling between the United States and any country or territory in

North, Central, or South America (or in any island adjacent thereto) unless the citizen was traveling to, or arriving from, a place for which a passport would be required (i.e., some place outside the hemisphere) and was traveling to or from it *via* countries of this hemisphere.

Following the break in diplomatic relations with Cuba on January 3, 1961, the Department of State, on January 16, announced, in Public Notice 179, that:

> In view of the conditions existing in Cuba and in the absense of diplomatic relations between that country and the United States of America I find that the unrestricted travel by United States citizens to or in Cuba would be contrary to the foreign policy of the United States and would be otherwise inimical to the national interest.
>
> * * * * *
>
> Hereafter United States passports shall not be valid for travel to or in Cuba unless specifically endorsed for such travel under the authority of the Secretary of State or until this order is revoked.

Three days later, on January 19, 1961, U.S. travel regulations were amended to require a valid passport for any citizen of the United States traveling to Cuba. The new regulations specifically provided that no valid passport shall be required of a citizen of the United States or of a person who owes allegiance to the United States:

> When traveling between the United States and any country, territory or island adjacent thereto in North, Central, or South America, excluding Cuba: *Provided*, That this exception shall not be applicable to any such person when traveling to or arriving from a place outside the United States for which a valid passport is required under this part, if such travel is accomplished via any country or territory in North, Central, or South America or any island adjacent thereto * * * (22 CFR 53.3).

In the hearings undertaken by the committee relating to travel to Cuba in violation of these statutes and regulations, it became clear from the testimony of witnesses and various exhibits received in evidence that the travelers did not regard either the pertinent statutes or regulations as adequate to make punishable their travel to Cuba after January 19, 1961, although they possessed no passports specifically endorsed for travel to Cuba. Their reasons, as claimed and asserted, although vaguely expressed in most instances, fell into three principal categories.

One theory strongly advanced was that the statute and the regulations were unlawful infringements upon the "right" to travel and were thus unconstitutional and void. It was variously asserted that the "right" to travel was a personal matter not subject to governmental interference, that it was essential to the right to learn what is going on in various parts of the world, and was also involved in the exercise of the first amendment freedoms of speech and association. The previously quoted court decisions, namely, *Worthy*, *Frank*, and *Porter*, it is believed, dispose of this claim.

The second principal argument asserted was that the action of the State Department in regulating travel to Cuba was simply a "public

notice" and was not based upon any "law" which specifically proscribed or limited travel to Cuba. It was claimed that the "policy" of the State Department could not serve as a substitute for specific legislation and that, in any event, such legislation would be void because unconstitutional.

It appears that this argument is lacking in validity because the State Department's regulations barring travel to Cuba without a specially validated passport, as published in the Code of Federal Regulations, were based specifically on the authority to restrict travel granted to the President by Congress in section 1185 of the Immigration and Nationality Act of 1952. Thus, despite the claims of the travelers to the contrary, the regulations were based on law.

In form letters disseminated to proposed "student" travelers, the advice was also given, and the third claim made, that where the individual was in possession of a "valid passport" at the time he departed from the United States—which would be the case if he entered a Western Hemisphere nation for which no passport was required or some other country for which he held a "valid passport"—his travel to Cuba thereafter would not be an unlawful "departure" or in violation of law unless he "used" his passport for entry to Cuba. It became obvious from the record that most of the witnesses were acting upon this advice and theory. They had obtained passports on the representation that they proposed to travel to countries of this hemisphere or Europe, not naming Cuba. They then traveled to Cuba after visiting other countries.

Actually, it appeared from the context of the testimony that the validity of the law regulating travel to Cuba was not a matter of material concern to the travelers. The legal objections raised by them appear simply as a smokescreen to cover a basic Communist agitational effort to conduct propaganda favorable to the Castro regime, and to communism generally throughout the world, undertaken primarily under the leadership of the Progressive Labor Movement, a Communist splinter group. The record clearly shows that the travel was organized in aid of the immediate objective of breaking the ban on travel to Cuba and as a first step in the long-range objective of breaking the attempted isolation of Cuba by the United States. To obscure these objectives the Communists adopted a favored and basic technique of appearing to champion "civil rights"—the "liberty to travel" and the "right to learn"—to conceal the real objective of undermining American foreign policy designed to contain or suppress a regime hostile to the security of the Nation and to the interests of liberty-loving people everywhere.

It was also clear that, by pointing up an alleged "right to travel" to Cuba, the travelers hoped to embarrass and degrade the United States in the eyes of the whole of Latin America and other areas as well. This was to be accomplished by creating the impression that a group of typical American students, at odds with their Government and its "repressive laws" and policies, were concerned only with seeing the truth which the Government was trying to withhold from them. By glowing speeches favorable to Castro and communism in Cuba, they would influence Americans at home and peoples in all parts of the world, non-Communist as well as Communist. A picture was to be painted, however false, that Cuban communism was wonderful and that the American Government had been suppressing and misrepre-

senting the truth. The obvious hope was entertained that, by bringing American foreign policy into disrepute, the people of the United States would ultimately demand a change in governmental policy. At the same time, the travelers apparently saw an opportunity to discredit the legitimate channels of anticommunism in the United States, such as the State Department, the Federal Bureau of Investigation, and congressional committees. Finally, this "daring" exploit and coup by the recently formed Progressive Labor Movement was expected to give stature to this new organization and to stimulate its growth.

While the objections of the Cuban travelers appear to be without substance in light of the broad language of the statute authorizing the President to make such limitations and exceptions as he may authorize and prescribe concerning departure from or entry into the United States, it is clear that certain of their claims have not been expressly the subject of judicial determination. Undoubtedly, these issues will be presented for judicial determination under indictments recently returned in the United States District Court for the Eastern District of New York against several of the travelers who were subpenaed to appear as witnesses before this committee.

The investigations of the committee revealed that certain of those who traveled to Cuba without specific passport validation for such travel were as fully conscious of the statutory support given to the President's restrictions on travel to Cuba by the Act of 1926 as they were of such support given them by section 1185 of Title 8, the Immigration and Nationality Act. Therefore, in order to avoid the criminal penalties provided by the Act of June 25, 1948 (18 U.S.C. 1544), for the misuse of passports—that is to say a willful use or attempted use of passport in violation of the conditions or restrictions contained in it—those travelers who bore passports made a special effort not to "use" them when obtaining visas from Cuban authorities to visit that country. It appears from the testimony taken at the hearings that those travelers possessing passports were advised not to exhibit them to officials concerned with the issuance of visas for travel to Cuba.

However, some doubt has been expressed as to whether the Act of 1926 would be construed to authorize area restraints, or gives any authority to the Secretary of State beyond certain ministerial powers. What this statute authorizes has not been the subject of judicial determination, although there has been passing comment upon it in the recent case of *Kent* v. *Dulles*, 357 U.S. 116, decided June 16, 1958. That case dealt with the validity of individual restraints—the power of the Secretory of State to deny a passport to Communists—either under the Immigration and Nationality Act of 1952, 8 U.S.C. 1185, or the aforesaid Act of 1926, 22 U.S.C. 211a. The Supreme Court there pointed out that no more should be inferred from section 211a of the Act of 1926 than that, in it, the Congress was adopting a prior administrative practice of reviewing passports falling into two categories: the first pertinent to the citizenship of the applicant and his allegiance to the United States which had to be resolved by the Secretary of State in the light of the command of Congress that passports shall be granted to no other persons (22 U.S.C. 212), and the second, whether the applicant was participating in illegal conduct, that is, trying to escape the toils of the law, promote passport frauds, or otherwise engaging in conduct which would violate the laws of the

United States. The Court by its language was thus appearing to confine the Act of 1926 largely to a ministerial function with little or no discretionary power. In any event, the Act of 1926 is merely a restriction upon the availability or use of passports for travel, but *does not prohibit the travel itself or make such travel unlawful.*

The committee's investigations indicate that, since early 1961, over 250 persons have traveled to Cuba without passports validated for such travel. The committee has no indication that the Department of Justice has been delinquent in its efforts to prosecute those who have traveled to Cuba illegally, and yet, as of this date, only six persons have been indicted for travel to Cuba in violation of existing regulations. It has been urged in some quarters that an obstacle to prosecutive action under the existing statutes may be the need to prove that the traveler, on departing from the United States to go to a country for which no passport is required or to one for which he has a valid passport, actually intended to go to Cuba and that he traveled in this fashion in an effort to avoid the penalties of the law.

In the light of these problems, Chairman Willis on November 6, 1963, introduced H.R. 9045. This bill would amend section 1185 and provides that when the President shall find that "the interests of the United States require" that restrictions and prohibitions shall be imposed upon the departure of persons from and their entry into the United States, and shall make public proclamation thereof—

> it shall, except as otherwise provided by the President, and subject to such limitations and exceptions as the President may authorize and prescribe, be unlawful for any citizen or national of the United States to—
>
> (1) depart from or enter, or attempt to depart from or enter, the United States unless he bears a valid passport; or
>
> (2) travel to, enter, or travel in or through any country or area, or attempt to travel to, enter, or travel in or through any country or area, unless he bears a passport specially endorsed for and authorizing such travel or entry therein: or
>
> (3) travel to, enter, or travel in or through any country or area, or attempt to travel to, enter, or travel in or through any country or area to which travel by United States citizens has been prohibited by the President.

The committee believes this bill remedies the already noted deficiencies found in existing statutes so far as relates to the effective and expeditious prosecution of persons who violate area travel bans, whether they apply to Cuba or any other country.

First, the bill permits exercise of the Presidential power whenever he finds regulation of travel necessary in the national interest. He is thereby not confined, as in the operation of section 1185 of Title 8, U.S. Code, to time of war or national emergency.

Secondly, the bill makes punishable the act of traveling into prohibited areas. Under the existing section 1185, the offense is limited to an unlawful departure from, or entry into, the United States without "a valid passport." The provisions of the bill remove the statute from any ambiguity of expression. It likewise relieves the enforcement agencies of an extremely difficult burden in particular cases—be-

cause of investigative problems—of proving venue, that is to say, the specific point of departure from, or entry into, the United States.

Thirdly, the statute likewise lightens the burden of proof in prosecutions under section 1185 with respect to proving the intent of the individual to travel to a proscribed area at the time of "departure" from the United States. To sustain a prosecution under the statute it is now essential that the prosecution prove that at the time of "departure" from the United States, the traveler intended, for example, to travel to Cuba while not in possession of a passport specially endorsed for travel to that territory. Testimony received in committee hearings indicated that several of the witnesses traveled first to areas such as Mexico or Canada, for which travel is authorized without a passport, or traveled to areas in Europe while in possession of passports "valid" for that area, and then subsequently traveled to Cuba. Where the travel was not directly to Cuba, there is in many instances difficulty in proving that the "departure" from the United States was unlawful, or, as in the words of the statute, that the departure was without a "valid passport."

Fourthly, the loophole apparently thought to exist by some of the travelers in the Act of 1926, namely, that under that statute only the "misuse" of a passport would be unlawful, is eliminated. Under the bill, it is the travel itself that becomes unlawful without regard to the use of a passport.

In all respects the bill strengthens the hand of the President in the execution of foreign policy, by giving him explicit legislative authorization to exercise a power already impliedly possessed by him and implementing this power with penal sanctions in the event his regulations are violated. For the reasons outlined, the committee deems it essential that existing law be amended, and for this purpose proposals along the lines of the chairman's bill are recommended.

III. SMITH ACT

The need for clarification of congressional intent with respect to the terms "advocate" and "teach" as used in the Smith Act of 1940, is indicated by the decision of the Supreme Court in the case of *Yates* v. *United States*, 354 U.S. 298 (1957).

The Smith Act, as amended, provides that:

> Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or
>
> Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or
>
> Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or

encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purpose thereof—

Shall be fined not more than $20,000 or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department, or agency thereof, for the five years next following his conviction.

If two or more persons conspire to commit any offense named in this section, each shall be fined not more than $20.000 or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction (18 U.S.C. 2385).[10]

Prior to June 17, 1957, the date *Yates* v. *United States* was decided, and following the adoption of the Smith Act in 1940, the Department of Justice prosecuted 146 leading Communist Party functionaries for violation of the Smith Act. Of this number, a total of 109 party members were convicted at trial in the district courts of the Nation. Of the total of 109 persons convicted, only 38 convictions were sustained on appeal or certiorari. The bulk of the convictions were reversed as a consequence of the principles enunciated in *Yates* v. *United States*, a decision which dealt a severe blow to the effectiveness of the Smith Act, hitherto the principal legislation aimed toward the containment of the Communist conspiracy within the United States. It is significant that not one single Smith Act prosecution has been instituted by the Department of Justice since the decision in that case of June 17, 1957. If the Smith Act is again to become an important weapon against the Communist conspiracy, it is vital that the Congress strengthen the act by the adoption of legislation which would renew its effectiveness.

The Yates case was a prosecution charging 14 leaders of the Communist Party with conspiring to advocate and teach the duty and necessity of overthrowing the Government of the United States by force and violence and to organize as the Communist Party of the United States a society of persons who so advocate and teach, with the intent of causing the overthrow of the Government by force and violence as speedily as circumstances would permit. The 14 defendants were convicted at trial, and each of them was sentenced to 5 years imprisonment and a fine of $10,000. The court of appeals affirmed. Upon grant of certiorari by the Supreme Court, the convictions were reversed. Although a new trial was awarded as to some of the defendants, the Department of Justice was unable to prosecute in view of the principles enunciated in *Yates*, and abandoned the prosecutions.

In the district court, at trial of the defendants in *Yates*, the trial court had clearly charged that the holding of a belief or opinion did not constitute advocacy or teaching; that the Smith Act did not prohibit persons who may believe that the violent overthrow of the Gov-

[10] As a result of the Yates decision, this section was amended by adding the following new paragraph:

"As used in this section, the terms 'organizes' and 'organize,' with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons" (Public Law 87–486, approved June 19, 1962).

ernment is probable or inevitable from expressing that belief; and that any advocacy or teaching which did not include the urging of force or violence as the means of overthrowing the Government was not within the charge of the indictment. The trial court instructed the jury that:

> The kind of advocacy and teaching which is charged and upon which your verdict must be reached is not merely a desirability but a necessity that the Government of the United States be overthrown and destroyed by force and violence and not merely a propriety but a duty to overthrow and destroy the Government of the United States by force and violence.

Yet the majority of the Supreme Court reversed a trial of 4 months' duration and held that this charge was inadequate; that the court should have added expressions that such advocacy and teaching must be "a call for action" and done—

> "with the intent that such teaching and advocacy be of a rule or principle of action and by language reasonably and ordinarily calculated to incite persons to such action * * *."

This is certainly a difference without a distinction. Is not the imposition of a duty a call for action and a "principle" of action? It is stronger; it imposes an obligation to act. Is not the advocacy of that duty, as necessity, together with the *urging* of force and violence, an intentional incitement? [11]

In dissenting, Mr. Justice Clark pointed out that the majority decision in *Yates* was "an exercise in semantics and indulgence in distinctions too 'subtle and difficult to grasp'." Reminding the Court that the conspiracy in *Yates* included the same group of defendants as in *Dennis* v. *United States*, 341 U.S. 494 (1951), and *United States* v. *Flynn*, 216 F. 2d 354 (1954), although the defendants in *Yates* occupied a lower echelon in the party hierarchy, and reminding the majority that the convictions in *Dennis* and *Flynn* were based upon evidence closely paralleling that in *Yates*, he found the decision in *Yates* incomprehensible. He said:

> I thought that *Dennis* merely held that a charge was sufficient where it requires a finding that "the Party advocates the theory that there is a duty and necessity to overthrow the Government by force and violence . . . not as a prophetic insight or as a bit of . . . speculation, but as a program for winning adherents and as a policy to be translated into action" as soon as the circumstances permit.

An example of the result of the Yates decision was a reversal in 1958 of the prior conviction of six second-rank Communist leaders for violation of the Smith Act, on appeal to the circuit court of appeals in the case of *United States* v. *James E. Jackson, et al.*, C.C.A. 2d, 1958, 257 F. 2d 830. This decision was based upon the so-called call-for-action test laid down by the Supreme Court of the United

[11] This was, in effect, long ago recognized by Justice Holmes (dissenting, in *Gitlow* v. *New York*, 268 U.S. 652, at p. 673), who wrote: "It is said that this manifesto was more than a theory, that it was an incitement. It offers itself for belief and if believed it is acted on unless some other belief outweighs it or some failure of energy stifles the movement at its birth. The only difference between the expression of an opinion and an incitement in the narrower sense is the speaker's enthusiasm for the result."

States in the Yates case. In commenting upon the holding in *Yates*, the court stated:

> In distinguishing this extremely narrow difference between the advocacy or teaching which constitutes a violation and that which does not, the Supreme Court said: "The essential distinction is that those to whom the advocacy is addressed must be urged to *do* something, now or in the future, rather than merely *believe* in something."

In its *Annual Report for the Year 1958*, this committee noted the holding in *United States* v. *James E. Jackson, et al.*, and we now repeat what we then said:

> The committee is of the opinion that the Supreme Court of the United States in the Yates case, in attempting to construe the terms "advocate" and "teach" as terms of art, wholly failed to ascertain the obvious intent of Congress as disclosed by the customary meaning of those terms when used in conjunction with the terms "duty" and "necessity" as used in the act. The question of whether advocacy and teaching of the *duty* and *necessity* of overthrowing the Government by use of force and violence constitutes mere advocacy and teaching of an abstract doctrine or whether it is advocacy or teaching directed at promoting of unlawful action, was neither considered nor decided by the Court in the Yates case. To construe the terms "advocate" and "teach" out of the context in which they were used could only result in doing violence to the plain intent of Congress in the use of those terms.

The committee considers it essential that the Smith Act be buttressed by the adoption of appropriate legislation toward that end.

It is believed that this would be accomplished by enacting statutory definitions of "advocate," "teach," "duty," "necessity," "force," and "violence" so that it would be clear to the courts the type of acts Congress intends to be outlawed by the Smith Act. To this end, the chairman of the committee on August 5, 1958, offered an amendment to Title 18, U.S.C., section 2385, which would define these words of art in the Smith Act. Subsequently, the same definitions were offered in H.R. 1991 (86th Congress), H.R. 6 (87th Congress), and H.R. 958 (88th Congress) on January 9, 1963.

IV. FEDERAL EMPLOYEE SECURITY

It is strongly recommended that legislation be passed to close the breach in the Federal employee security program opened by the decision in *Cole* v. *Young*, 351 U.S. 536 (1956), which cut down the applicability of the Act of August 26, 1950 (Public Law 733, 81st Cong.), to "sensitive" positions only.

The Act of August 26, 1950, gave to the heads of certain specifically named departments and agencies involved in activities of an obviously sensitive nature, the power summarily to suspend any civilian officer or employee "when deemed necessary in the interest of national security." The act included provisions for notification, to the employee concerned, of the reasons for suspension, to the extent that the interests of national security permit, and gave him an opportunity to submit a

reply. The agency head was empowered, following such investigation and review as he deemed necessary, thereafter to terminate the employment of the suspended employee should he determine such to be necessary in the interest of the national security; but if the employee is one having a permanent or indefinite appointment and is a citizen of the United States, it is required that the employee be given a hearing upon request prior to termination of employment.

The act authorized the President from time to time to extend the coverage of the act to such other departments and agencies of the Government as he deemed necessary in the interests of national security. In April 1953, by Executive Order 10450, President Eisenhower deemed it necessary to extend the provisions of the act to all other departments and agencies of the Government.

Cole, a food and drug inspector employed in the Department of Health, Education, and Welfare, was charged with having continued a close association with persons reported to be Communists and with maintaining a sympathetic association with an organization designated as subversive by the Attorney General. Cole did not answer the charges, replying that they constituted an invasion of his private rights of association and, although advised that he could have a hearing, requested none. The Secretary of the Department concerned made a formal determination that Cole's continued employment was not "clearly consistent with the interests of national security" and dismissed him.

On appeal, the Supreme Court reversed the dismissal, construing the act as applying not to all officers or employees of the Department, but only to "sensitive" positions within the Department. The majority of the Court thus cut down the applicability of the act to "sensitive" positions only.

Justice Clark, with whom Justices Reed and Minton joined in dissenting, declared, "We have read the Act over and over again, but find no ground on which to infer such an interpretation. It flies directly in the face of the language of the Act and the legislative history" (p. 566). He added, at page 569, that:

> We believe the Court's order has stricken down the most effective weapon against subversive activity available to the Government. It is not realistic to say that the Government can be protected merely by applying the Act to sensitive jobs. One never knows just which job is sensitive. The janitor might prove to be in as important a spot security-wise as the top employee in the building. The Congress decided that the most effective way to protect the Government was through the procedures laid down in the Act. * * * They should not be subverted by the technical interpretation the majority places on them today.

The immediate result of the majority decision in *Cole* v. *Young* was the restitution of 109 persons from suspension or termination of their employment. Back pay was awarded, without the benefit to the Government of loyal services, in the amount of $579,656.55.

In order to correct the shocking situation created by the decision, the late Chairman Walter introduced H.R. 1989 in the 86th Congress; H.R. 6 (sec. 320) and H.R. 12367 (Title V) in the 87th Congress; and H.R. 952 in the 88th Congress on January 9, 1963. Such legislation

as this is now necessary to clarify congressional purpose and provide a basis for maintaining adequate security for the executive branch of Government.

It must be made clear that the President, in whom is reposed the constitutional responsibility of executing laws and the duty of appointing for that purpose those who will faithfully serve that end, possesses the necessary and concomitant power of suspending and terminating the employment of those who are disloyal or security risks, under reasonable safeguards to the individual which do not compromise our intelligence activities or impose undue burdens upon the exercise of administrative discretion. To intimate that such a power would not be decently exercised is an unwarranted slur upon our great body of able administrators. In these critical times there is no place in Government for those who are not clearly loyal to the institutions of our free society.

V. INDUSTRIAL SECURITY

It is urgently recommended that express legislative authorization be granted to the Secretary of Defense, under such regulations as the President may prescribe, to establish a security program with respect to defense contractors and their employees, for the protection of classified information released to or within industry or any enterprise within the United States, and to prescribe procedures to be followed in personal appearance proceedings accorded to individuals whose access to classified information is denied or revoked under such program. Such legislation is essential to clarify the position of Congress with respect to questions raised in the case of *Greene* v. *McElroy*, 360 U.S. 474 (1959), which in part struck down the industrial security clearance review program established for some years prior thereto under regulations of the Secretary of Defense. A failure to assert congressional purpose and approval may result not only in unnecessary litigation and extensive damage claims against the Government, but also in compromise of vital national defense secrets.

Greene, who began his employment in 1937 with the Engineer and Research Corp., a business devoted mainly to the development and manufacture of mechanical and electronic products, was first employed by that corporation as a junior engineer and, at the time of his discharge in 1953, was vice president and general manager. He had been credited with the development of a complicated electronic flight simulator and with the design of a rocket launcher, produced by this corporation and long used by the Navy. The corporation was engaged in classified contract work for the various armed services and had entered into a security agreement or contract by which the corporation agreed, in the performance of this work, to provide and maintain a system of security control and that it would not permit any individual to have access to classified matter unless cleared by the Government. During the World War II period, Greene had received security clearance, but in 1951 information came to the attention of the Government, including evidence of his maintenance of a close and sympathetic association with various officials of the Soviet Embassy, which showed clearly that Greene was a security risk, if not actually disloyal to the United States.

A letter of charges was delivered to Greene, and he was informed that he could seek a hearing before the Review Board. He appeared

with counsel, was questioned, and in a series of hearings was given an opportunity to present his witnesses and his case. Greene's own admissions would seem to establish what the Government had reasonably concluded, namely, that he was a security risk, although the Government presented no witnesses and, relying largely on confidential reports, did not give Greene the opportunity to confront and cross-examine confidential informants whose statements reflected on him. Greene's security clearance was finally withdrawn and, as a result, his services were no longer useful to his corporation. He was forced to resign from his offices in the corporation and was discharged.

Greene appealed to the district court, asking for a declaration that the revocation of his security clearance was unlawful and void. The district court and the court of appeals upheld the validity of the revocation, but a majority of the Supreme Court, in a decision by Chief Justice Warren, reversed, and held the revocation of clearance invalid on the ground that the administrative procedures of the industrial security program were not explicitly authorized by either Congress or the President. This decision left several basic questions suspended and unanswered. Chief Justice Warren said, at page 508:

> Whether those procedures under the circumstances comport with the Constitution we do not decide. Nor do we decide whether the President has inherent authority to create such a program, whether congressional action is necessary, or what the limits on executive or legislative authority may be. We decide only that in the absence of explicit authorization from either the President or Congress the respondents were not empowered to deprive petitioner of his job in a proceeding in which he was not afforded the safeguards of confrontation and cross-examination.

Immediately after the decision in the Greene case, the then chairman of this committee, on July 7, 1959, introduced in the House H.R. 8121, with a view toward establishing congressional authority for the issuance by the Secretary of Defense of such regulations. This bill was reported out by this committee on September 2, 1959, and passed the House on February 2, 1960. However, there was no final Senate action. Further, in order to plug the hole in the dike, the President on February 20, 1960, issued Executive Order No. 10865, giving authority to certain departments, including the Department of Defense, to issue regulations and prescribe requirements for the safeguarding of classified information within industry.

In the 87th Congress, the late Chairman Walter introduced H.R. 10175 to provide an express legislative authorization for the Secretary of Defense, under such regulations as the President might prescribe, to establish a security program relating to defense contracts. Hearings were held upon this bill, and the views of interested departments of Government received. Following the hearings, the then chairman introduced a revised bill, incorporating the revisions requested by the departments. The revised bill, H.R. 11363, was reported out by this committee on June 28, 1962, House Report No. 1945, 87th Congress, second session. The bill was considered by the House under suspension of rules on September 19, 1962, but fell short by six votes of the two-thirds majority required for passage under such procedure. The Congress adjourned prior to further action upon the bill.

H.R. 11363 basically enacts into law the principal provisions of Executive Order 10865, and has received the approval of all agencies of Government concerned. It gives clear expression of congressional purpose to support and strengthen such procedures as are adopted in Executive Order 10865 and improves the operation of such procedures, in particular by granting subpena powers to the Secretary of Defense, thereby assuring individuals affected, as well as the Government, a means for the adequate presentation of their case in the personal appearance proceedings authorized by the bill.

The procedures authorized in the bill are a solution which reconciles the imperative and overriding demand for the safeguarding of classified information in the execution of vital defense projects, on the one hand, with the interests and expectations of the individual involved, on the other. The procedures afford the individual employees the maximum benefits consistent with the interests of the national security. (See H. Rept. 1945, and hearings of March 15, 1962, relating to H.R. 10175, to accompany H.R. 11363.)

In the 88th Congress, the late Chairman Walter introduced H.R. 952, which is identical to H.R. 11363.

The necessity for a security program of this type is apparent. When one reflects that approximately one quarter of every procurement defense dollar has been allocated for classified defense work and that, according to reliable estimates, nearly 50 percent of the Communist Party membership is now concentrated in basic industry, the significance and necessity of a security program is clear.

In the hearings before this committee on March 15, 1962, the representative of the Department of Justice, Mr. J. Walter Yeagley, Assistant Attorney General, Internal Security Division, testified:

> I can only put it this way: that we know that there are a great many people here who are Communists. We know where their loyalties are, and not only that, but their interests and their hopes and their desires. If they are in an area that is sensitive, where they have access to information, I would have to assume they are going to pass it on.

When asked whether, based upon his knowledge and experience, Mr. Yeagley found that members of the Communist Party of the United States are disposed, and indeed required by the principles of their association, to commit sabotage and espionage under appropriate circumstances, he replied unequivocally in the affirmative.

VI. NATIONAL SECURITY AGENCY

The committee recommends legislation establishing an authoritative base for enforcing a strict security standard for the employment, and retention in employment, of persons in the National Security Agency, to achieve maximum security for the activities of the Agency and to strengthen the capability of the Secretary of Defense and the Director of the Agency to provide for such. With this conclusion the Department of Defense and the National Security Agency have concurred.

In June of 1960, two employees of the Agency, Bernon F. Mitchell and William H. Martin, who had access to classified information, defected to the Soviet Union. This committee conducted an extensive investigation of the circumstances surrounding the defection, together

with a thorough and detailed examination of the personnel security regulations and procedures in effect at the time of the defection, and of subsequent measures taken by the Agency to resolve any weaknesses in its procedures. A detailed report of the investigation, titled *Security Practices in the National Security Agency*, was released by this committee on August 13, 1962.

While the committee is aware that personnel security in the National Security Agency is dependent primarily upon continuing effective administrative leadership and the enforcement of pertinent Department of Defense directives, the committee concludes that additional legislation is necessary to achieve maximum security. The committee is of the opinion that such legislation should establish a security standard and expressly prohibit the employment in the Agency of any person who has not been the subject of a full field investigation. In view of the special nature of the Agency's activities, legislation is recommended which will expressly exempt the Agency from the provisions of the civil service laws with respect to appointments to the Agency, and from the requirements of the Performance Rating Act of 1950. Moreover, the Secretary of Defense should be authorized summarily to terminate the services of employees whenever such action is necessary in the interest of the United States, should he determine that the procedures prescribed in other provisions of law relating to termination of employment cannot be invoked consistently with the national security.

The specific legislative recommendations made by the committee, based upon its investigations, are incorporated in the above report of August 13, 1962. H.R. 950, introduced by the late Chairman Walter in the first session of the 88th Congress, embodies these recommendations. This was reported out by this committee on March 13, 1963, House Report No. 108, 88th Congress, first session. The bill passed the House on May 9, 1963.[12]

VII. PORT AND VESSEL SECURITY

It is recommended that legislation be enacted which will provide a legislative base for remedying the deficiencies of the Magnuson Act revealed in the decisions of *Parker* v. *Lester* (227 F. 2d 708) and *Graham* v. *Richmond* (272 F. 2d 517).

During the Korean crisis in 1950, Congress enacted the Magnuson Act (50 U.S.C. 191, 192, 194). This act provided that:

> Whenever the President finds that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbances or threatened disturbances of the international relations of the United States, the President is authorized to institute such measures and issue such rules and regulations * * * to safeguard against destrucution, loss, or injury from sabotage or other subversive acts, accidents, or other causes of similar nature, vessels, harbors, ports, and waterfront facilities in the United States, the Canal Zone, and all territory and water, continental or insular, subject to the jurisdiction of the United States.

[12] The bill, as amended, was subsequently, on March 26, 1964, signed by the President (P.L. 88-290).

To implement the authorization contained in the Magnuson Act, the President on October 20, 1950, promulgated Executive Order 10173. This order, as amended, found that the security of the United States was endangered by subversive activity and prescribed regulations relating to the safeguarding of vessels and waterfront facilities in the United States. The order, vesting enforcement of the act in the Coast Guard, prohibited the employment of seamen on American merchant vessels unless they held validated documents which were not to be issued if the Commandant of the Coast Guard was satisfied that the "character and habits of life of such person are such as to authorize the belief that the presence of the individual on board would be inimical to the security of the United States * * *."

The order authorized the Commandant to issue regulations, which he did, for establishing procedures under which security clearance would be granted or denied. For reaching such determination, the Commandant's regulations provided that he "may consider whether on all the evidence and information available reasonable grounds existed for the belief" that the seaman (1) has committed acts of treason, espionage or sabotage; (2) is under the influence of a foreign government; (3) has advocated the overthrow of the Government by force or violence; (4) has intentionally disclosed classified information to unauthorized persons; or (5) is or recently has been a member of, or affiliated with, an organization designated by the Attorney General as totalitarian, Fascist, Communist, or subversive.

Under the initial practice provided by the Commandant's regulations, when a seaman applied for clearance to accept employment, his application was checked by the Coast Guard, and if clearance was denied at this stage he was notified in writing and informed of the "general basis" of such denial, which was accomplished by a form letter. In the event of security denial, the seaman was permitted to apply first to a local and then to a national appeal board, each composed of one Coast Guard member, one management, and one labor. The appeal board had before it the complete record upon which the denial had been based, although this was not disclosed to the seaman, who could, however, appear in person and by counsel and was privileged to submit testimonial and documentary evidence. He had no right to know the names of confidential informants or to confront or cross-examine them.

Under the procedures then established, approximately 1,800 seamen were screened from merchant vessels. Then followed *Parker* v. *Lester*, decided by the U.S. Court of Appeals for the Ninth Circuit on October 26, 1955, from which no application for review by the Supreme Court was made by the Solicitor General. In this case, several seamen brought action in the circuit court against the officers of the Coast Guard stationed in the San Francisco area to enjoin the enforcement of the regulations issued by the Coast Guard under the Magnuson Act, alleging principally that the regulations operated to deprive the plaintiffs of their liberty and property rights without due process of law, and asking for declaratory relief establishing the screening program to be void and unconstitutional. The court of appeals sustained the plaintiffs' contention, on the ground that the procedures established by the regulations provided for no hearing for the plaintiffs with opportunity to interrogate the witnesses testifying against them.

Although this decision preceded the Supreme Court judgment in *Greene* v. *McElroy*, 360 U.S. 474, decided June 29, 1959 (discussed under the Industrial Security Program, *supra*), the language of the court in *Parker* v. *Lester* foreshadowed the pronouncements of *Greene*, and indeed seems to have gone even further. While the court did not specifically state that the Coast Guard could not adopt a program which in some degree would qualify the right of confrontation and cross-examination, it seems clear that the sense of the decision would require the Coast Guard to grant the applicant seaman an opportunity to be confronted with his accusers and to cross-examine witnesses.

The blanket injunction issued by the court of appeals in *Lester* against the enforcement of the Coast Guard regulations had an immediate and disastrous effect upon the screening program. As a result of that decision, the Coast Guard was forced to issue documents validated for security clearance to several hundred seamen previously determined to be security risks. Appearing before this committee on June 6, 1960, in hearings titled *Communist Activities Among Seamen and on Waterfront Facilities*, Adm. James A. Hirshfield, Assistant Commandant of the Coast Guard, testified that the requirements laid down in *Parker* v. *Lester* have seriously hampered the Coast Guard in its administration of an effective port and vessel security screening program, forcing the validation of security clearances to many of the seamen previously determined to be security risks. He testified there was no doubt that, except for the necessity of confrontation and cross-examination, many of these several hundred clearances would be revoked. In the absence of available witnesses and being precluded from using confidential information, the Coast Guard is compelled to issue a document evidencing security clearance even though the Commandant might not be satisfied as to the applicant's loyalty. He said that, although the regulations of the Coast Guard were immediately altered after the decision in *Parker* v. *Lester* to conform to the requirements of that decision, the screening program was ineffective as a result of it.

Following the Lester decision, Admiral Hirshfield testified that the Coast Guard maintained some degree of control by refusing to process applications in which the applicant failed or refused to answer inquiries necessary for a determination of his security status. However, then followed *Graham* v. *Richmond*, decided November 5, 1959, in the U.S. Court of Appeals for the District of Columbia. Graham was an applicant who declined to answer three questions submitted to him in his application for security clearance. (Briefly, the questions dealt with whether he was a subscriber to certain Communist publications; whether he had engaged in their sale, distribution, or publication; and whether he had been a member of certain Communist organizations.) His application was denied for this reason, and his request for a statement of charges and for a hearing was rejected by the Coast Guard. Graham then brought his case to court.

The court of appeals in *Graham* v. *Richmond*, from which the Government made no application for review, although ruling that the questions were proper and relevant, held that the Coast Guard's refusal further to consider the application upon failure to answer the questions amounted to an outright denial of his application without a full hearing. Previously citing *Greene* v. *McElroy*, *supra*, the court

pointed out that it was nowhere provided in the Magnuson Act, in the Executive order, or in the Commandant's regulations that the failure or refusal to answer certain questions would entitle the applicant to no further consideration and that, therefore, the applicant was entitled to a processing of the application in the manner for which the regulations provided, namely, after a hearing upon all the evidence, although in the processing of the application the applicant's refusal to answer certain questions might be a critical factor. This decision was a further blow to the Coast Guard screening program. The Coast Guard could not, in granting hearings, allow, in most cases, the confrontation and cross-examination of confidential witnesses.

In the hearings referred to above, several of the seamen who had previously been denied clearance, but to whom clearance was subsequently granted as a result of these decisions, appeared and testified before the committee. That they constitute a grave danger to the security of the United States, should not be doubted. The evidence supports the conclusion that Communists will commit sabotage and espionage under appropriate circumstances; that seamen are in a position to act, and do act, as couriers for the international Communist movement; and that they engage in smuggling of subversive persons into the United States. Admiral Hirshfield testified:

> Anyone familiar with the work of men who follow the sea must agree with the conclusion of the Court as expressed in *Parker* v. *Lester* that merchant seamen are in a sensitive position in that opportunities for serious sabotage are numerous. Furthermore, because of the very nature of their occupation, seamen may be used easily as links in a worldwide Communist communication system and a worldwide espionage network.

Mr. Ray R. Murdock, Washington counsel of the Seafarers' International Union of North America, testified:

> Let me emphasize that, under existing conditions, the shipping industry constitutes a convenient conduit by which subversives from foreign countries can pour into this country. The dangers inherent in this situation cannot be overemphasized.
>
> * * * * *
>
> But it must be remembered that the merchant marine is peculiarly vulnerable to sabotage. One skilled man can paralyze a great ship. If we are not able to prevent the infiltration of our merchant marine by subversives, then the hazards become incalculable. If our merchant marine can be paralyzed by sabotage, then all the billions we are spending for defense still leave us woefully unprepared.

From the foregoing recital, it thus becomes apparent that a legislative base should be provided to correct the situation created by the Lester and similar cases. A personal appearance procedure, specifically authorized by the Congress, that will provide certain reasonable limitations upon the privileges of confrontation and cross-examination consistent with the interests of national security and individual rights, similar to that established under Executive Order 10865 or in

the bill, H.R. 11363, relating to industrial security previously discussed, would seem to offer a solution. It is also necessary to provide by such legislation that any person who willfully fails or refuses to appear before any agency, officer of the Coast Guard, or other person authorized to make such inquiries under the Magnuson Act, or who willfully fails or refuses to answer any question under oath pertinent to the inquiry in application for clearance or in any proceeding established under the regulations, shall by that fact be denied security clearance without further proceedings.

H.R. 4469, introduced in the first session of the 87th Congress by the late Congressman Walter, was offered with the purpose in view of attempting to meet some of the difficulties posed under *Parker* v. *Lester* and *Graham* v. *Richmond*. This bill was reported out by this committee on February 23, 1961, was passed by the House on March 21, 1961, and referred to the Senate. No final action was taken by the Senate. The committee recommends that a comprehensive program be adopted which would remedy the deficiencies disclosed above.

VIII. SURVEILLANCE BY TECHNICAL DEVICES—WIRETAPPING

The committee has repeatedly recommended legislation authorizing the interception and divluging of communications by wire or radio, under appropriate circumstances and safeguards, in the conduct of investigations and for the prevention and prosecution of crime, particularly those relating to activities or offenses involving the national security. Because of the status of existing law, many offenses go undetected, or unpunished, that are of serious consequence to the national security. The urgency of legislation of this type is again emphasized.

Moreover, it is the view of the committee that State officials, as well as Federal, within reasonable limitations, should be authorized to acquire and intercept communications for such purposes. In the case of State law enforcement, it is felt that the prohibitions of section 605 of the Communications Act of 1934 should be made inapplicable to the interception or divulging of any communication by wire or radio either authorized pursuant to the statutes of such State for the purpose of enforcing certain serious and selected criminal laws of the State, or when done in cooperation with Federal officials in the enforcement of laws involving the national security. In view of the fact that enforcement of local law with respect to State offenses is constitutionally committed to the States, it would seem that each State should be free to exercise the constitutional privilege of determining its own public policy with respect to the prevention of crimes and enforcement of laws committed to its jurisdiction.

The committee advocates legislation designed to give law enforcement such means of accomplishing its purposes as are consistent with the scientific and technological progress of this modern age and to relieve it of the handicap of being forced to operate with the tools of the horse-and-buggy era.

Wiretapping does not involve the introduction of any new or unusual principle of law enforcement. Is it, for example, to be distinguished from the policeman on the beat who makes personal observation of the conduct and activities of persons under suspicion, or the old-fashioned eavesdropping of the detective in public places? The telephone and

radio are largely public utilities, which extend beyond the privacy of one's dwelling, and should present no particular privileges or haven for the conduct of activities inimical to the national welfare. It seems clear that the Communications Act of 1934 must be modified so that law enforcement is brought abreast of modern techniques utilized by the criminal of today. We cannot assume that this privilege would be abused by public officials in any greater degree, if at all, than other privileges might be abused. And should an official abuse a privilege, the obvious remedies exist in this case as in others. Is it expected that law enforcement officers should be confined to the practice of clairvoyance and palmistry for the detection of crime? Legislation on this subject has long been overdue.

IX. NATIONAL SCIENCE FOUNDATION

It is recommended that the National Science Foundation Act of 1950 be further amended so that, in addition to matters provided in Public Law 87–835 of the 87th Congress (H.R. 8556), the following provisions be included:

With respect to the provision of Public Law 87–835 of the 87th Congress, making it unlawful for any person to make application for a scholarship or fellowship who is a member of any Communist organization registered or required to register by final order of the Subversive Activities Control Board, the provision should be extended to make it unlawful for any person to make an application for such scholarship or fellowship who has been a member of any such organization since the date on which it has registered or been ordered to register by final order or who has been a member of such organization within a period of 5 years from the date of such application, whichever period is shorter.

In addition to the above amendment to Public Law 87–835, a further provision should be included relating to grants to institutions for projects contracted by the Foundation, making it unlawful for any person to receive such funds from the institution for the conduct of research unless the institution obtained from such person an oath or affirmation of allegiance and statement regarding any crimes committed or criminal charges pending, as is required of an applicant for a fellowship or scholarship, and making it unlawful for such person to receive or apply for funds from such institution if such individual is a member of a Communist organization registered or required to register as before mentioned or has been a member of such organization within 5 years past or from the time that such organization was registered or required to register, whichever period is the shorter.

The National Science Foundation was created by act of Congress in 1950, which declared its purpose "to promote the progress of science, to advance the national health, prosperity and welfare, to secure the national defense, and for other purposes." Among other powers, the Foundation was given authority to award fellowships and scholarships to deserving science students and also grants to institutions for scientific research projects.

Members of the Congress were justifiably jolted in March 1961 when the Foundation announced a fellowship award to Edward Yellin, a graduate student at the University of Illinois. In 1958, Yellin had been identified as a member of the Communist Party by a former

FBI undercover operative who testified before this committee in its investigations of Communist infiltration of basic industry. The testimony described Yellin as one of a number of well-trained, educated young Communist colonizers sent into the steel industry in an effort by the Communist Party to infiltrate the labor movement. In those hearings, Yellin refused to testify, invoking the protection of the first amendment to questions relating to his employment, his Communist Party membership, and whether he had deliberately concealed facts concerning his college education when applying for employment with the Carnegie-Illinois Steel Corporation. In 1960, he was convicted of contempt of Congress, fined $250, and sentenced to 1 year in prison. His conviction was upheld by the court of appeals on February 16, 1961, a month before the National Science Foundation announced the award of a scholarship to him.

Following this committee's disclosure, in early June 1961, of the Foundation's award to Edward Yellin, hearings on the matter were also held by the House Committee on Science and Astronautics. On June 21, 1961, following these hearings, Chairman Brooks of that committee introduced H.R. 7806, a bill designed to prevent the award of fellowships and scholarships to persons such as Edward Yellin. This bill was superseded by a new bill, H.R. 8556, introduced by Chairman Brooks on August 8, 1961, which was favorably reported by the Committee on Science and Astronautics, passed by the House, favorably reported by the Senate Committee on Labor and Public Welfare, and enacted into law on October 16, 1962, as Public Law 87–835.

H.R. 8556, as enacted into law, prohibits the National Science Foundation from making scholarship or fellowship payments unless the awardee has taken an oath of allegiance to the Constitution and to the United States and has provided a full statement explaining any crimes of which he has been convicted or which have been charged against him and are pending. Furthermore, it was made unlawful for any person to apply for a Foundation scholarship or fellowship if he is a member of a Communist organization ordered to register in accordance with the Internal Security Act of 1950, with knowledge of such order. The bill also included a provision authorizing the Foundation to refuse or revoke a scholarship or fellowship award if the National Science Board is of the opinion that such award is not "in the best interests of the United States."

H.R. 8556, as enacted into Public Law 87–835, requiring a full statement of all crimes charged or pending against an applicant, would very likely have been effective in preventing an award to Yellin, for the Foundation officials had declared that they were totally unaware of Yellin's conviction for contempt of Congress or of the charges relating to his membership in the Communist Party. However, it is not believed that the act will be effective in accomplishing its purpose of preventing awards to Communist Party members by the simple requirement that it shall be unlawful for a member of a Communist organization to make application for a scholarship or fellowship award.

This committee has had abundant experience under similar provisions of the Taft-Hartley law (Labor Management Relations Act of 1947, 29 U.S.C. 141, 159(h)), which denies the benefit of the law

to a labor organization unless its officers have filed affidavits disclaiming membership in, or affiliation with, the Communist Party. This provision has been repeatedly circumvented by officers of labor organizations who were in fact members of the Communist Party, but executed technical resignations from membership the day or moment before the affidavit was executed. Similarly, in appearances of Communists before this committee, the committee has frequently found that in response to questions relating to membership in the Communist Party, they have denied such membership, but when asked if they had resigned technical membership immediately prior to their appearance on the witness stand, they invoked the fifth amendment privilege. It is therefore essential, if any such provision is to be effective relating to membership, that a reasonable period of time be fixed prior to and including the date of the award. It has also been found that many persons who are under the discipline of the Communist Party and who perform all of the activities of actual membership are in a security or underground status in the party, having severed technical or formal membership. The time element relating to membership is important with respect to actual present membership. The committee recomendation set forth in this section will go a long way toward obviating these problems.

The present act is also defective because of its failure to deal with the situation relating to grants to institutions, which in turn engage individuals to conduct contracted work. The investigations of the committee pointedly reveal the circumstances. Columbia University, for example, received a grant of $4,500 from the National Science Foundation in 1956 and placed its project under the direction of Prof. Harry Grundfest. In 1958, Columbia University received another grant of more than $75,000 for a second project to be supervised by him. This was the same Harry Grundfest who continued to serve on the boards of directors of two organizations that had been cited as subversive and Communist by the Attorney General; who numbered among his associates a member of the infamous Canadian Communist spy ring; who invoked the fifth amendment in 1953 when questioned about Communist Party membership by a Senate committee investigating subversion in the Army Signal Corps; who on October 2, 1961, pleaded the fifth amendment to similar questions in an executive session of the Committee on Un-American Activities, in the course of the investigation of the National Science Foundation; and who 2 days later, on October 4, 1961, was the object of an additional grant of $156,000, awarded to Columbia University by the Foundation.

Dr. Alan T. Waterman, Director of the National Science Foundation, when questioned on October 25, 1961, about the grants made to Columbia in Grundfest's behalf, claimed that the Foundation had no knowledge of the professor's Communist affiliations.

In 1957, the Foundation awarded a 2-year grant of $9,300 to Philander-Smith College in Little Rock, Ark., for research to be conducted by Dr. Lee Lorch. In 1950, the same Lee Lorch had been identified as a member of the Communist Party by three witnesses in public testimony before the Committee on Un-American Activities. When Lorch had appeared as a witness before the committee in public session in 1954, he denied party membership as of the time he testified, but refused to answer questions about party membership for an earlier

period. He was cited for contempt of Congress, but was acquitted by a Federal court on a technicality. Dr. Lorch had been dismissed by at least three colleges before the Foundation approved the grant for his project at Philander-Smith.

Dr. Waterman claimed that the National Science Foundation had none of this information about Dr. Lee Lorch at the time the grant was awarded to Philander-Smith.

This situation relating to grants is not even partially covered in the National Science Foundation Act, as amended, as of this day. It is therefore essential to make provision in the law for such purpose. Such provision may well take the form suggested in the recommendation.

(For full discussion of the National Science Foundation investigation, see *Annual Report for the Year 1961*, House Committee on Un-American Activities, pp. 93–103.)

CHAPTER IX

MEMORIALS FOR DECEASED MEMBERS

FRANCIS E. WALTER, IN MEMORIAM

The following resolution in memory of the late Francis E. Walter of Pennsylvania, chairman of the Committee on Un-American Activities, was unanimously adopted by the committee and ordered to be included in its Annual Report for the year 1963:

Whereas, our esteemed chairman and colleague, the late Honorable Francis E. Walter, readily contributed his full measure of duty to his country in both World Wars I and II; and

Whereas, having been trained in the professions of law and finance, he left a successful law practice in his home State of Pennsylvania and came to our Nation's Capital to serve in the House of Representatives for over 30 years—devoting all his abilities, talents, and untiring efforts to bettering and strengthening the country he so loved and safeguarding the freedoms he so cherished; and

Whereas, through the years, he came to be recognized and respected as one of the greatest Americans to serve in the Congress—a dynamic leader who was not only a skilled legislator and an expert parliamentarian with a keen and penetrating insight, but a man of courage and action, a man faithful to his ideals; and

Whereas, he was assigned to the House Committee on Un-American Activities in 1949 and assumed its chairmanship in 1955; and

Whereas, as chairman of this committee, he brought with him a keen insight into the aims and tactics of the Communist conspiracy, a deep comprehension of the gravity of his responsibilities, and an unwavering devotion to his duties; and

Whereas, his distinguished and courageous chairmanship of this committee gained him well-deserved national acclaim as a just and unyielding foe of all those forces determined to undermine our way of life; and

Whereas, his many contributions in the field of national security will be an everlasting monument to his memory and will serve as a living inspiration to all those who serve after him;

Now, therefore, be it resolved, That the members of the Committee on Un-American Activities in tribute to the memory of Francis E. Walter, and in recognition of his outstanding leadership, commend to all Americans his words of warning:

> The struggle for freedom never ends. It is a continuing thing; a struggle we can never neglect or forget.

CLYDE DOYLE, IN MEMORIAM

The following resolution in memory of the late Clyde Doyle of California, member of the Committee on Un-American Activities, was unanimously adopted by the committee and ordered to be included in its Annual Report for the year 1963:

Whereas, our esteemed colleague, the late Honorable Clyde Doyle, viewed his long legislative labors on this committee as a personal expression of duty and devotion to the country he so loved; and

Whereas, his favorite motto, "Our beloved Nation deserves the best of whatever we are," so aptly defined the motives, the methods, and indeed the man himself; and

Whereas, his sincere passion for the principles of procedure and method singularly contributed to the committee's effectiveness; and

Whereas, his professional pride in justice and fair play harmonized with his high personal qualities of charity and compassion;

Now, therefore, be it resolved, That the members of the Committee on Un-American Activities express their sentiments to the memory of Clyde Doyle in lines he himself composed:

Four things you must do
If you would make your record true;
To think without confusion clearly,
To love your fellow men sincerely,
To act from honest motives purely,
To trust in God in Heaven securely.

INDEX

INDIVIDUALS

A

Page

Adler, Friedrich 125, 126
Andres, Teresa Carvajal de. (*See* Carvajal de Andres, Teresa.)
Apro, Antal 103
Aptheker, Herbert 125
Arcos, Matilde Morales. (*See* Morales Arcos, Matilde.)
Ault, Paul 16

B

Ballam, Sam. (*See* Marcy, Sam.)
Barnes, Betsy 76
Barnes, Jack 76, 77, 83
Barranco Escavia, Jose 87
Barranco, Rafael Lopez. (*See* Lopez Barranco, Rafael.)
Bastian (Walter M.) 133
Bateson, Nicholas 70–72, 75
Batista, Fulgencio 127
Battin, James F 114
Bazelon (David L.) 131
Bebrits, Lajos (Louis) 109
Bentley, Elizabeth 111
Bingham, James E. (Jim) 76, 77, 79, 81, 83
Blodgett, Charles David 53
Blossom, Frederick A 26
Boudin, Leonard B 66
Bravo, Nestor Otto 54
Brooks, Overton 154
Brower, Brock 89
Brown, Fred 85
Brown, Julia 6
Brownell, Herbert, Jr 27
Bryant, Valeda (Mrs. Robert E. Randolph). (*See* Randolph, Valeda Bryant.)
Buhai, Harriett 54–56
Burger (Warren E.) 131–133
Burton (Joseph M., Jr.) 129, 133

C

Cansinos Palma, Jose 87
Carvajal de Andres, Teresa (wife of Angel Larroca Garcia) 86
Castillo, Alejandro Heredero del. (*See* Heredero del Castillo, Alejandro.)
Castillo Villarrubia, Eulogia del 86, 87
Castro, Fidel 9, 10, 20, 30, 32, 35, 41, 42, 61, 62, 66, 81, 84, 127, 135, 137
Castro Martinez, Sofia (wife of Rafael Lopez Barranco) 86, 87
Chambers, Whittaker 102, 111
Chase, Homer 11, 12
Chi-Chou Huang 25, 26
Cholmeley, Elsie Fairfax 27
Clark, Tom 26, 119, 142, 144
Cole (Kendrick M.) 143, 144
Coleman, J. C 28
Copeland, Vincent 18
Cramer (William C.) 34
Cucchiari, Salvatore 59, 60, 63
Cuervo Rodriguez, Aladino 87

D

Page
Danaher (John A.) 133
Davis, Benjamin 66
de Villar, Melitta (Mrs. Louis Amster) 39, 40
Dennis (Eugene) 142
Dobbs, Ben 94
Dougher, Joe 16
Doyle, Clyde 158
Dulles (John Foster) 129, 138

E

Eisenhower, Dwight D 30, 144
Eisler, Gerhart (aliases: Hans Berger; Gerhard; Edwards; Brown; Julius Eisman; Gerhart; Samuel Liptzen) 85
Elliott, Roland 113
Elman, Richard M 42
Engels (Friedrich) 9
Epstein, Israel 26, 27
Escavia, Jose Barranco. (*See* Barranco Escavia, Jose.)

F

Fahy (Charles) 131
Fishman, Moe (Moses) 85, 86, 88–90
Foreman, Clark Howell 63
Frank, Waldo 129, 131–134, 136
Fritchman, Stephen H 57
Fritchman, Mrs. Stephen H 57
Flynn (Elizabeth Gurley) 142
Fuchs, Klaus Emil Julius 98

G

Garcia, Angel Larroca. (*See* Larroca Garcia, Angel.)
Gard, June Anita 69, 70, 72
Gero, Erno 104, 109
Gesell, Harold J. E 74
Gitlow (Benjamin) 142
Glenn, John R. (Jack) 76, 78–82
Glenn, Marcia Haag (Mrs. John R.) 76, 77, 81–84
Gluck, Sidney J 39
Gojack, John T 121
Gold, Harry 98
Goldberger, Alexandria 102
Goldstein, Eleanor 63
Graham (Edgar W.) 148, 150, 152
Greene (William L.) 145, 146, 150
Greenglass, David 98
Groninger, Paulann (Mrs. William Groninger) 76, 77, 81
Groninger, William (Bill) 76, 77, 81
Grumman, Frank 121
Grundfest, Harry 155
Guevara, Ernesto "Che" 41, 42
Gumpert, Peter 70, 71

H

Haag, Marcia (Mrs. John R. Glenn). (*See* Glenn, Marcia Haag.)
Hall, Gus 10, 22
Hansen, Joseph 77
Harlan (John M.) 119
Hartman, Louis Earl 121
Hayes, Dorothy 28
Hegedus, Andras 108
Heide, Paul 48
Heredero del Castillo, Alejandro 87
Hernandez, Ana Hernandez. (*See* Hernandez Hernandez, Ana.)
Hernandez Hernandez, Ana (wife of Jose Barranco Escavia) 86, 87

Page
Herter (Christian) 129, 132, 134
Hirsch, Walter. (*See* Jerome, Fred.)
Hirshfield, James A 150, 151
Hiss, Alger 98, 102
Hoffman, Barry 59–63, 73
Holmes (Oliver Wendell) 142
Hoover, J. Edgar 99
Huberman, Leo 40, 41

I

Ibarruri, Dolores (alias "La Pasionaria") 89
Indebaum, Arnold (Arnie) (*see also* Jacobs, J.) 69–76

J

Jackson, James E 142
Jacobs (or Jacob), J (or Jay) (*see also* Indenbaum, Arnold) 65, 66, 69–75
Jerome, Fred (alias Walter Hirsch) 13, 35, 36
Jerome, V. J. (Victor Jeremy) 35
Johnson, Azalena 40
Johnson, John Allen (also known as Johnson, Allen) 52, 53
Johnson, Lyndon B 128
Johnson, Margaret Frances 53, 54
Josephson 121

K

Kadar, János 109
Kennedy (Edward M.) 127
Kennedy, John F xi, 16, 52, 124–128
Kennedy (Robert F.) 127
Kent (Rockwell) 129, 138
Khrushchev, Nikita Sergeevich 9–11, 19, 32, 93, 97, 108, 112
Kidwell, Jean Estelle (Mrs. Fank S. Pestana). (*See* Pestana, Jean Estelle Kidwell.)
Kiss, Karoly 103
Koritschoner, Franz 126

L

"La Pasionaria." (*See* Ibarruri, Dolores.)
Larroca Garcia, Angel 86, 87
Laub, Levi Lee 44, 46, 59–66, 69, 73, 75
Lautner, John 102, 103
Lee, Vincent Theodore 42, 43, 46
Lehrer, Robert 121
Lenin, V. I. (alias for Vladimir Il'ich Ul'ianov; also known as Nikolai Lenin) 3, 4, 9, 11, 20, 105, 112, 125, 126
Lester (J. A.) 148–152
Levitt, Ralph 76, 77, 79, 81, 83
Linke, Brunhilde 72, 73
Lopez Barranco, Rafael 87
Lorch, Lee 155, 156
Luce, Phillip Abbott 44, 62, 63, 66, 67
Lustig, James 102, 103
Lynn, Conrad J 39, 40

M

Madrigal, Eustasia Sokolowski 54
Malis, Victor 121
Mao Tse-tung xii, 9, 11
Marcy, Sam (also known as Sam Ballam) 18, 20
Marsh, Jack 81
Martin, Ana Salvador. (*See* Salvador Martin, Ana.)
Martin, William H 147
Martinez, Elizabeth Sutherland. (*See* Sutherland, Elizabeth.)
Martinez, Ramon Martinez. (*See* Martinez Martinez, Ramon.)
Martinez, Sofia Castro. (*See* Castro Martinez, Sofia.)

Page
Martinez Martinez, Ramon 87
Martinot, Stefan (Steve) 44–46, 63, 64
Marx, Karl 3, 9, 112, 125
McAvoy, Clifford T 75
McCone, John 33
McElroy (Neil M.) 145, 150
McLucas, Leroy 37–39
Miller, Louis 39, 54
Miller (Wilbur K.) 120, 129
Minton (Sherman) 144
Mitchell, Bernon F 147
Morales Arcos, Matilde (wife of Jose Cansinos Palma) 86, 87
Morgan, Thomas G. (Tom) 76, 77, 83
Morray, Joseph Parker 41
Murdock, Ray R 151

N

Nagy, Imre 108, 109
Nakashima, Wendie Suzuko. (*See* Rosen, Wendie (Wendy) Suzuko Nakashima.)
Nearing, Scott 26
North, Joseph 55, 57, 58
Nunez Velanos, Encarnacion (wife of Ramon Martinez Martinez) 86, 87

O

O'Connor, Harvey 122
O'Neill, Edward R 73
Ormazabal Ramon, Tife 87
Ortiz, Vickie (Victoria) 60, 63, 73, 75
Oswald, Lee Harvey 124, 125, 127

P

Palma, Jose Cansinos. (*See* Cansinos Palma, Jose.)
Paull, Irene (Mrs. Henry Paull) 51, 52
Parker (Lawrence) 148–152
Penha, Armando 25
Perham, David 74
Pestana, Frank Simplicio 51, 52, 54–57
Pestana, Jean Estelle Kidwell (Mrs. Frank Simplicio Pestana) 47, 51, 52, 54–56
Peters, Joseph 102, 103
Phelps, Larry Wilford 63, 68, 69, 71
Popper, Martin 122
Porter (Charles O.) 129, 133, 134, 136
Prensky, Catherine Jo (Kathy) 63, 68
Prettyman (Elijah Barrett) 129

Q

Quinn, Gerald Manuel 40

R

Rabinowitz, Victor 66
Rajk, Laszlo 103, 109
Rakosi, Matyas 103, 104, 108, 109, 112
Randolph, Robert Eugene 47, 48
Randolph, Valeda Bryant (Mrs. Robert Eugene Randolph) 48, 49
Read, Jon Joseph 50
Reed (Stanley Forman) 144
Rein, David 27
Richmond (Alfred C.) 148, 150, 152
Roda Zarabozo, Maria Paz 87
Rodriguez, Aladino Cuervo. (*See* Cuervo Rodriguez, Aladino.)
Roman, Armando 6
Rose, Fred (born Fred Rosenberg) 98
Rosen, Jacob (also known as Jake and Jack Rosen) 36, 67, 68, 70, 72
Rosen, Milton 12–17, 45, 46, 64, 67, 72

Page
Rosen, Wendie (Wendy) Suzuko Nakashima (Mrs. Jacob Rosen)..... 63, 67, 68
Rosenberg, Rose Schorr (Mrs. Louis Rosenberg)..... 47, 55, 56
Russell, Maud..... 25–29
Russell (Norton Anthony)..... 120–122

S

Salter, John Frederick..... 63
Salvador, Gregorio Valero. (*See* Valero Salvador, Gregorio.)
Salvador Martin, Ana..... 87
Samter, Alfred James..... 121
Santiago, Jo Ann..... 10
Santiago, Jose..... 10
Santo, John..... 101–114
Sapirain, Sebastian..... 88
Scheer, Mortimer..... 13, 14, 45, 46, 64, 67, 72
Schlosser, Anatol Isaac..... 43, 44, 59, 63, 64
Shallit, Ellen..... 59, 60, 63
Shapiro, Joseph Abram..... 50
Shaw, Edward Walter..... 41
Shelton, Robert..... 120, 121
Sherman, Durane U..... 70, 71
Shriver, George..... 79
Sik, Endre..... 102, 103
Silber, Bernard..... 121
Simon, Moses..... 103
Sinclair..... 121
Smith, Don..... 76
Smith, Edwin S..... 28
Smith, Polly (Mrs. Don Smith)..... 76
Smith, Rhoden..... 63
Soblen, Robert A..... 39
Stalin, Josef (Iosif Vissarionovich Dzhugashvili)..... 3, 7, 9, 11, 20, 97, 108, 112
Stewart (Potter)..... 119
Strong, Anna Louise..... 26, 27
Sutherland, Elizabeth (born Elizabeth Southerland Martinez)..... 36–39

T

Tarasov, Vladislaw Stepanovich..... 90–92
Tife, Ramon Ormazabal. (*See* Ormazabal Ramon, Tife.)
Tishman, Mark..... 63
Tito (alias for Josip Brozovich; also know as Josip Broz)..... 9, 10
Travis, Helen (Mrs. Robert C. Travis)..... 26, 43, 46, 47, 54
Trotsky, Lev (Leon) (born Lev Davidovich Bronstein)..... 3, 20, 77
Truman, Harry S..... xi, 31, 135
Turoff, Sidney..... 122

V

Valero Salvador, Gregorio..... 87
van der Jagt, H. J..... 73, 75
Velanos, Encarnacion Nunez. (*See* Nunez Velanos, Encarnacion.)
Villarrubia, Eulogia del Castillo. (*See* Castillo Villarrubia, Eulogia del.)

W

Waegell, George (born Henri George Waegell)..... 40, 50
Waegell, Henri George. (*See* Waegell, George.)
Walter, Francis E..... 157
Warren (Earl)..... 119, 146
Warren, Susan (Mrs. Richard Frank; nee Susan Mildred Heiligman)..... 26, 27
Washington (George Thomas)..... 120
Waterman, Alan T..... 155, 156
Weichinger, Jovita Lopez (Mrs. Karl Vladimer Weichinger)..... 51
Weichinger, Karl Vladimer..... 51
Weinstock, Louis..... 102, 107
Weinstock, Rose (Mrs. Louis Weinstock)..... 107, 108
Whelan, Joseph G..... 99

Page
White (Byron Raymond) ---- 119
Wilkes, Harold Glenn ---- 76–78, 81, 83
Williams, Robert F ---- 39, 40, 62, 78, 79
Worthy, William Jr ---- 129, 130–134, 136
Wright (James Skelly) ---- 120

Y

Yakobson, Sergius ---- 99
Yates (Oleta O'Connor) ---- 140–143
Yeagley, J. Walter ---- 147
Yellin, Edward ---- 119–122, 153, 154
Yerkes, A. Marburg ---- 47
Young (Philip) ---- 143, 144
Youngdahl, Luther ---- 121

Z

Zarabozo, Maria Paz Roda. (*See* Roda Zarabozo, Maria Paz.)

ORGANIZATIONS

A

AFL-CIO. (*See* American Federation of Labor-Congress of Industrial Organizations.)
Abraham Lincoln Brigade. (*See* International Brigade, Fifteenth.)
Ad Hoc Committee to Oppose U.S. Aggression (*see also* Fair Play for Cuba Committee, University of Indiana; Young Socialist Alliance, University of Indiana; Student Ad Hoc Committee Against U.S. Intervention in Cuba) ---- 80, 83, 84
Ad Hoc Student Committee for Travel to Cuba (*see also* Permanent Student Committee for Travel to Cuba) ---- 43–45, 64, 66, 67, 80
Advance ---- 67, 68
American Civil Liberties Union (ACLU) ---- 62
American Committee for Protection of Foreign Born ---- 10, 102
American Communications Association (ACA) ---- 121
American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) (*see also* Congress of Industrial Organizations) ---- 16, 95
American Labor Party (ALP) ---- 75
  New York State:
    New York City Area:
      Kings County Committee ---- 75
      Second Judicial District Convention, 1950 ---- 75
American Youth for Democracy ---- 48
Anti-Fascist Committee of the East German Democratic Republic ---- 89
Antioch College (Yellow Springs, Ohio) ---- 44

B

Black Muslims ---- 16
British Overseas Airways Corp. (BOAC) ---- 60, 65–69, 71, 73, 74, 80
Brooklyn College (Brooklyn, N.Y.) ---- 64

C

CIO. (*See* Congress of Industrial Organizations.)
California Labor School ---- 49, 53
Canada, Government of ---- 45, 59
Carnegie-Illinois Steel Corp ---- 154
Carpenters and Joiners of America, United Brotherhood of, AFL ---- 53
China, Government of:
  Communist Government ---- 1–4, 26, 28, 29, 98
  Nationalist Government ---- 98
China Photo Service (Peking, China) ---- 28
Church World Service ---- 113, 114
City College of the City of New York (New York City) ---- 36, 64, 67, 68
Coast Guard. (*See* entry under U.S. Government, Treasury Department.)
Columbia Broadcasting System (CBS) ---- 129
Columbia Progressive Labor Student Club. (See entry under Progressive Labor Movement, Progressive Labor Clubs.)

Page
Columbia University (New York City) 15, 44–46, 64, 155
Committee for a Democratic Far Eastern Policy 26, 27
Committee to Aid the Bloomington Students 77, 81
Communist International. (*See* International III.)
Communist Party, Australia 2
Communist Party, Belgium 2
Communist Party, Brazil 2
Communist Party, China xii, 2–4, 20, 29
Communist Party, Cuba 1, 32
Communist Party, France 3
Communist Party, Hungary. (*See* Hungarian Workers' (Communist) Party.)
Communist Party, India 2, 3
Communist Party, Italy 2, 3
Communist Party, Puerto Rico 6
Communist Party of the United States of America xi, 1–7, 10–14, 18, 19, 21–23, 29, 32, 66, 85, 93–96, 98, 124, 141, 147
National Structure:
Central Committee 102
National Board 102
National Committee 16, 55
Secretariat 103
National Conventions and Conferences:
Seventeenth Convention, December 10–13, 1959 (New York City) 32, 94
Districts:
New England District 10, 11
Ohio District 101
Southern California District 29, 93–96
District Conventions and Conferences:
Second Convention, November 20–22, 1959, and January 29–31, 1960, Los Angeles, Calif 94, 96
States and territories:
California:
Los Angeles:
Engels Club [1] 47, 55, 56
Minnesota:
Duluth 51
New York State 13
State Committee 6, 13
Control or Review Commission 103
Trade Union Commission 101
Erie County 13
New York City Area:
Bronx County:
Bronx Section 101
New York County (Manhattan):
Puerto Rican Section 6
West Side Village Club 85
Ohio:
State Committee:
District Bureau 101
Cleveland 6
Communist Party, Soviet Union 2–4, 9, 11, 19, 22, 29, 91, 92, 108
Central Committee 11
Congresses:
Twentieth Congress, February 1956 (Moscow) 108
Twenty-second Congress, October 1961 (Moscow) 9
Communist Party, Spain 88–90
National Committee 87
Communist Political Association:
New York State Convention, August 1945 27
Congress of Industrial Organizations (CIO) 16
Constitutional Liberties Information Center (CLIC) 95, 96

[1] Variously referred to as professional unit and lawyers cell or group.

Page

Cuba, Government of ... 32, 37, 41, 43, 48, 81, 127
Consulates:
Mexico ... 49
Prague, Czechoslovakia ... 61
Embassies:
Mexico City, Mexico ... 79
Ottawa, Canada ... 79
Cuban Federation of University Students ... 46, 61, 65
Cuban Institute for Friendship Among the Peoples ... 61
Cuban Writers and Artists Congress. (*See* National Congress of Cuban Writers and Artists.)
Czechoslovakia, Government of:
Embassies:
Washington, D.C ... 44, 79

D

Democratic Party:
Young Democrats ... 95
Department of Motor Vehicles, Raleigh, N.C ... 71

E

Eighth World Conference Against Atomic and Hydrogen Bombs and for Prevention of Nuclear War. (*See* entry under World Congress Against Atomic and Hydrogen Bombs and for Prevention of Nuclear War.)
Eighth World Youth Festival. (*See* entry under World Youth Festivals.)
Electrical, Radio & Machine Workers of America, United (UE) ... 121
District 4 ... 102
Emergency Civil Liberties Committee (ECLC) ... 39, 62, 63, 66
Engineer and Research Corp ... 145

F

Fair Play for Cuba Committee (FPCC) ... 37, 41–43, 46–49, 51, 80, 81, 83, 127
Bay Area Committee ... 48, 50
Palo Alto Committee ... 52
University of Indiana Chapter. (*See also* Ad Hoc Committee to Oppose U.S. Aggression.) ... 77, 79–81, 83
Fair Play for Cuba Student Council, University of Indiana. (*See* Fair Play for Cuba Committee, University of Indiana Chapter.)
Fifth World Youth Festival. (*See* entry under World Youth Festivals.)
First National City Bank of New York ... 74
First Unitarian Church, Los Angeles. (*See* Unitarian Church, First.)
Friends of British Guiana ... 25
Friends of KPFK ... 57

H

HELP. (*See* Help Establish Lasting Peace.)
Hammer & Steel ... 2, 3, 10–14, 17
Help Establish Lasting Peace (HELP) ... 95
Hungarian Academy of Sciences ... 108
Hungarian Trade Union Center ... 103
Hungarian Workers' (Communist) Party ... 101, 103, 108, 110, 111
Central Committee ... 104, 109
Control Commission ... 103
Political Committee ... 109
Hungary, Government of ... 102–111
Embassies:
Washington, D.C ... 102, 103

I

Immigration and Naturalization Service. (*See* entry under U.S. Government, Justice Department.)
Independent Student Union ... 95
Institute of Pacific Relations (IPR) ... 27

Page
Intergovernmental Committee for European Migration 113
Internal Revenue Department. (*See* entry under U.S. Government, Treasury Department.)
International, III 85
International Brigade, Fifteenth (also referred to as Abraham Lincoln Brigade) 85, 89
International Union of Students (IUS) 49
Executive Committee Meeting, May 23–June 2, 1961 (Havana, Cuba) 49

J

Jefferson School of Social Science 27
Jo Ann Santiago Defense Committee 10
John Santo Defense Committee 10, 102
Johns Hopkins University (Baltimore, Md.) 25
Joint Anti-Fascist Refugee Committee (JAFRC) 90

K

Kherson Nautical School (Soviet Union) 91
KLM Royal Dutch Airlines 60, 68–75
Komsomol (*See* Young Communist League, Soviet Union).

L

Labor Youth League 35, 48, 51
California:
Los Angeles 51
Latin American Conference for National Sovereignty, Economic Emancipation and Peace, March 5–8, 1961 (Mexico City, Mexico) 48
Los Angeles Committee for Protection of Foreign Born 96
Los Angeles Coordinating Committee for New Horizons for Youth 95
Los Angeles Festival Committee. (*See* entry under World Youth Festivals, Eighth Youth Festival.)
Los Angeles Medical Aid to Cuba Committee (*see also* Medical Aid to Cuba Committee) 47, 54, 55
Los Angeles Progressive Youth Organizing Committee. (*See* entry under Progressive Youth Organizing Committee, Los Angeles.)
Los Angeles Youth for Peace and Socialism 95

M

Maupintour Associates 78
Medical Aid to Cuba Committee (MACC) (*see also* Los Angeles Medical Aid to Cuba Committee; New York Medical Aid to Cuba Committee) 25, 39, 47, 54
Mexican Peace Conference. (*See* Latin American Conference for National Sovereignty, Economic Emancipation, and Peace, March 5–8, 1961, Mexico City.)
Mexico, Government of:
Embassies:
Havana, Cuba 41
Militant Labor Forum, Oakland, Calif. (*See* entry under Socialist Workers Party.)
Monthly Review Press 41

N

National Association for the Advancement of Colored People (NAACP) 39, 83
National Committee for a Sane Nuclear Policy (SANE), Students for a Sane Nuclear Policy (City College of the City of New York) 67
National Committee To Abolish the Un-American Activities Committee 62
National Congress of Cuban Writers and Artists, First Congress, August 18–23, 1961 (Havana, Cuba) 36, 37
National Lawyers Guild 47, 122
Hollywood-Beverly Hills Chapter 54
Nationalists Party of Puerto Rico. (*See* Puerto Rican Nationalist Party.)
New Left Club (*see also* Progressive Labor Movement: Progressive Labor Student Clubs, University of North Carolina) 15, 70
New York Medical Aid to Cuba Committee (*see also* Medical Aid to Cuba Committee) 55

Page
New York University (New York City) 43
North American Friends of Cuba 62
North American Newspaper Alliance, Inc 42
Northwestern University (Evanston, Ill.) 77

O

Ohio State University (Columbus, Ohio) 66
Organization of American States, Special Consultative Committee on Security 34
Oxford University (London, England) 71

P

POC. (*See* Provisional Organizing Committee for a Marxist-Leninist Communist Party.)
Painters, Decorators & Paperhangers of America, Brotherhood of (AFL) 102
Palo Alto Fair Play for Cuba Committee. (*See* entry under Fair Play for Cuba Committee.)
Party Publishing House (Partiinoe Izdatelstvo) (Moscow) 126
Permanent Student Committee for Travel to Cuba (*see also* Ad Hoc Student Committee for Travel to Cuba) 17, 44–46, 59, 64–76, 80–84
Philadelphia Committee for a Six-hour Day with Eight Hours' Pay. (*See* entry under Progressive Labor Movement.)
Philander-Smith College (Little Rock, Ark.) 155, 156
Pioneer Publishers (New York City) 77
Progressive Labor Movement 3, 10, 12, 13, 15–18, 21, 45, 63–65, 67, 68, 70, 76, 137, 138
  National organizational meeting, July 1, 1962, New York City 72
  Philadelphia Committee for a Six-hour Day with Eight Hours' Pay 16
  Progressive Labor Clubs:
    Buffalo, N.Y 15
    City College of the City of New York 15
    Columbia Progressive Labor Student Club 15, 45, 46
    Georgia 15
    Massachusetts 15
    New York 15
    Philadelphia, Pa 15
    Progressive Labor New York Student Club 68
    San Francisco, Calif 15
    University of North Carolina (*see also* New Left Club) 15, 68, 70–72
    Williamsport, Pa 15, 16
  Williamsport Committee for a Six-hour Day with Eight Hours' Pay 16
Progressive Youth Organizing Committee:
  Los Angeles 95
Provisional Organizing Committee for a Marxist-Leninist Communist Party (POC) 3–10, 12, 17
Puerto Rican Nationalist Party VII

R

RCA Communications, Inc 121
Revolutionary Workers Party, Canada 77

S

San Francisco State College (San Francisco, Calif.) 64
Seafarers' International Union of North America 151
Simon and Shuster, Inc 36–38
Sixth World Youth Festival. (*See* entry under World Youth Festivals.)
Socialist Workers Party (SWP) 3, 18–20, 23, 50, 81, 83
  National Committee 18
  Militant Labor Forum, Oakland, Calif 50
Stanford University (Calif.) 64
Student Ad Hoc Committee Against U.S. Intervention in Cuba (*see also* Ad Hoc Committee to Oppose U.S. Aggression) 52
Students for a Sane Nuclear Policy (City College of the City of New York). (*See* entry under National Committee for a Sane Nuclear Policy.)

Page
Swarthmore College (Swarthmore, Pa.) 36
Switzerland, Government of:
Embassies:
Havana, Cuba 35, 38
Syracuse University (Syracuse, N.Y.) 78

T

Teamsters, Chauffeurs, Warehousemen & Helpers of America, International Brotherhood of 16
Tom Maupintour Associates. (*See* Maupintour Associates.)
Trans Canadian Air Lines 75
Transport Workers Union of America (CIO) 101
Typographical Union, International (AFL-CIO) 120

U

Union of Soviet Socialist Republics, Government of 1–4, 23, 33
Defense (War), Ministry of:
Army 110
Unitarian Action for Social Justice, San Francisco, Calif 52
Unitarian Center (Whittier, Calif.) 55
Unitarian Church (Palo Alto, Calif.) 48
Unitarian Church (Long Beach, Calif.) 55, 57
Unitarian Church, First (Los Angeles) 56, 57
United Nations 16, 20, 32
Cuban mission 44, 80, 127
United States Festival Committee for the Sixth World Youth Festival. (*See* entry under World Youth Festivals: Sixth Youth Festival.)
United States Government:
Central Intelligence Agency (CIA) 59
Defense, Department of 147, 148
National Security Agency 147, 148
Health, Education, and Welfare, Department of 144
House of Representatives, United States:
Fish Committee to Investigate Communist Activities in the United States (Special Committee) 109
Science and Astronautics, Committee on 154
Justice Department 42, 43, 58, 90, 93, 122, 141, 147
Federal Bureau of Investigation (FBI) 59, 62, 103, 128
Immigration and Naturalization Service 58, 72
Library of Congress 26
National Science Foundation 153–156
Senate, United States:
Internal Security Subcommittee of the Judiciary Committee (Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws) 14, 27, 62, 75, 120, 121
Labor and Public Welfare Committee 154
State Department 28, 30, 31, 33, 35, 38, 42, 44, 45, 52, 55, 58, 59, 64–66, 68, 79, 98, 127, 132, 135–137
Embassies:
Amsterdam, Holland 68
Madrid, Spain 81
Passport Offices:
Los Angeles 54
Miami, Fla 42
New York 37, 38, 64, 68
Washington, D.C 58
Subversive Activities Control Board (SACB) 27, 35, 67, 84, 85, 90, 93, 102, 124, 153
Supreme Court 93, 119–122, 124, 131, 138, 141–144, 146, 150
Treasury Department:
Coast Guard 124, 149–152
Internal Revenue Service 124
United States Information Agency (USIA):
United States Information Service (USIS) Libraries xi
Voice of America 91
Veterans' Administration 74

Page
University of California (Los Angeles, Calif.) 36, 47, 50, 57, 64
University of Chicago (Chicago, Ill.) 51, 64
University of Illinois (Urbana, Ill.) 153
University of Indiana (Bloomington, Ind.) 76, 79, 80, 82
Fair Play for Cuba Committee. (*See* entry under Fair Play for Cuba Committee.)
Young Socialist Alliance. (*See* entry under Young Socialist Alliance) (*see also* Committee to Aid the Bloomington Students.)
University of Maryland (College Park, Md) 25
University of Michigan (Ann Arbor, Mich.) 64
University of North Carolina (Chapel Hill, N.C.) 15, 68, 70, 71
New Left Club. (*See* entry under New Left Club.)
Progressive Labor Student Club. (*See* entry under Progressive Labor Movement, Progressive Labor Clubs, University of North Carolina.)
University of Peking (Peking, China) 132
University of Wisconsin (Madison, Wis.) 64, 68

V

Veterans of the Abraham Lincoln Brigade (VALB) 84–90

W

WBAI–FM (radio station) (New York City) 42
Walter Reception Committee 95
West Side Committee for Friendly Relations With Cuba 40
Western Union 121
Williamsport Committee for a Six-hour Day With Eight Hours' Pay. (*See* entry under Progressive Labor Movement.)
Women Strike for Peace (WSP) 47, 55, 56
Los Angeles 95
Women's International Democratic Federation:
Second Congress, November 30–December 6, 1948, Budapest, Hungary 107
Workers Press (Canada) 77
Workers World Party 18–21
States:
California:
Los Angeles 18
New York:
Buffalo 18
New York City 18
Washington:
Seattle 18
World Congress Against Atomic and Hydrogen Bombs and for Prevention of Nuclear War, Eighth World Congress, August 1–6, 1962, Tokyo, Japan 48, 52
World Peace Congress, July 9–14, 1962, Moscow. (*See* World Peace Council, World Congress for Disarmament and Peace.)
World Peace Council:
10th Anniversary Session, May 8–13, 1959, Stockholm, Sweden 56, 57
World Congress for General Disarmament and Peace, July 9–14, 1962, Moscow 48
World Youth Festivals:
Fifth Youth Festival, July 31–August 14, 1955, Warsaw, Poland 35, 36
Sixth Youth Festival, July 28–August 11, 1957, Moscow, Russia 36
United States Festival Committee 36
Eighth Youth Festival, July 29–August 6, 1962, Helsinki, Finland 50, 67, 68, 95
Los Angeles Festival Committee 95

Y

Young Communist League, Soviet Union (Komsomol) 90, 91
Young Communist League, U.S.A 39, 48
Minnesota 51
Young People's Socialist League 83

Page
Young Socialist Alliance (YSA) 76–78, 80, 81, 83
University of Indiana (*see also* Ad Hoc Committee To Oppose U.S. Aggression) 76, 83
Young Women's Christian Association, China Branch 26

PUBLICATIONS

A

Afro-American Newspapers 129
America (Illustrated) 91

C

Chinese Commercial Daily. (*See* Hua Shang Pao.)
Comment on the Statement of the Communist Party of the United States of America, A (pamphlet) 11
Communist Party—A Manual on Organization, The 102

D

Daily News (Whittier, Calif.) 55–56
Daily Tar Heel (University of North Carolina student newspaper) 15, 71, 72
Daily Worker 102

E

Esquire (magazine) 89

F

Far East Reporter 25–27
Far East Spotlight 26, 27
Film Quarterly 36

H

Hammer & Steel Newsletter 11
Hua Shang Pao (Chinese Commerical Daily, Hong Kong) 26

I

In Defense of the Cuban Revolution: An Answer to the State Department and Theodore Draper (pamphlet) 77
Iskra (The Spark) (newspaper) 126

L

liberal democrat, The (magazine) 48
Long Live Leninism (pamphlet) 4

M

Marxist Leninist Quarterly 13
Miami Herald 127
Militant, The 78
Monthly Review 40

N

New People in New China (pamphlet) 28
New York Post 129
New York Times 120
1948 Manifesto of the Fourth International Against Wall Street and the Kremlin (pamphlet) 77

O

On the Question of Stalin (pamphlet) 11

P

People's Daily, The (Peking, China) 14
People's World 96
Progressive Labor 12–15, 17
Proposal Concerning the General Line of The Communist International Movement, A (pamphlet) 11

R

Page

Rights 66

S

Second Revolution in Cuba, The (Morray) 41
Socialist Workers Party, The (pamphlet) 77

T

Theory of the Cuban Revolution, The (pamphlet) 77
Trotskyism and the Cuban Revolution—An Answer to Hoy (pamphlet) 77

U

Uj Elore 109

V

Vanguard 6

W

Where to Begin (Lenin) 125, 126
Which Path—Cowardice or the Teaching of Mao Tse-tung? (pamphlet) 11
Worker, The 103
Workers World 3, 4, 18
World Marxist Review 12, 88

Y

Young Socialist Forum 78

○